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FORTY-SECOND PARLIAMENT
FIRST SESSION—FOURTH PERIOD

Governor-General
Her Excellency Ms Quentin Bryce, Companion of the Order of Australia

Senate Officeholders

President—Senator Hon. John Joseph Hogg
Deputy President and Chair of Committees—Senator Hon. Alan Baird Ferguson
Temporary Chairs of Committees—Senators Guy Barnett, Cory Bernardi,
Thomas Mark Bishop, Carol Louise Brown, Patricia Margaret Crossin,
Michael George Forshaw, Gary John Joseph Humphries, Annette Kay Hurley,
Stephen Patrick Hutchins, Gavin Mark Marshall, Julian John James McGauran,
Claire Mary Moore, Stephen Shane Parry, Hon. Judith Mary Troeth and Russell Brunell Trood

Leader of the Government in the Senate—Senator Hon. Christopher Vaughan Evans
Deputy Leader of the Government in the Senate—Senator Hon. Stephen Michael Conroy
Leader of the Opposition in the Senate—Senator Hon. Nicholas Hugh Minchin
Deputy Leader of the Opposition in the Senate—Senator Hon. Eric Abetz
Manager of Government Business in the Senate—Senator Hon. Joseph William Ludwig
Manager of Opposition Business in the Senate—Senator Stephen Shane Parry

Senate Party Leaders and Whips

Leader of the Australian Labor Party—Senator Hon. Christopher Vaughan Evans
Deputy Leader of the Australian Labor Party—Senator Hon. Stephen Michael Conroy
Leader of the Liberal Party of Australia—Senator Hon. Nicholas Hugh Minchin
Deputy Leader of the Liberal Party of Australia—Senator Hon. Eric Abetz
Leader of the Nationals—Senator Barnaby Thomas Gerard Joyce
Deputy Leader of the Nationals—Senator Fiona Nash
Leader of the Australian Greens—Senator Robert James Brown
Deputy Leader of the Australian Greens—Senator Christine Anne Milne
Leader of the Family First Party—Senator Steve Fielding
Chief Government Whip—Senator Kerry Williams Kelso O’Brien
Deputy Government Whips—Senators Donald Edward Farrell and Anne McEwen
Chief Opposition Whip—Senator Stephen Shane Parry
Deputy Opposition Whips—Senators Judith Anne Adams and David Christopher Bushby
The Nationals Whip—Senator John Reginald Williams
Australian Greens Whip—Senator Rachel Mary Siewert
Family First Party Whip—Senator Steve Fielding

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(1) Chosen by the Parliament of South Australia to fill a casual vacancy vice Amanda Eloise Vanstone, resigned.
(2) Chosen by the Parliament of Western Australia to fill a casual vacancy vice Ian Campbell, resigned.
(3) Chosen by the Parliament of Western Australia to fill a casual vacancy vice Christopher Martin Ellison, resigned.
(4) Term expires at close of day next preceding the polling day for the general election of members of the House of Representatives.

**PARTY ABBREVIATIONS**
AG—Australian Greens; ALP—Australian Labor Party; CLP—Country Liberal Party; FF—Family First Party; LP—Liberal Party of Australia; NATS—The Nationals

**Heads of Parliamentary Departments**
Clerk of the Senate—H Evans
Clerk of the House of Representatives—I C Harris
Secretary, Department of Parliamentary Services—A Thompson
RUDD MINISTRY

Prime Minister                      Hon. Kevin Rudd, MP
Deputy Prime Minister, Minister for Education,
    Minister for Employment and Workplace Relations
    and Minister for Social Inclusion
Treasurer                            Hon. Wayne Swan MP
Minister for Immigration and Citizenship and Leader of
    the Government in the Senate
Special Minister of State, Cabinet Secretary and Vice
    President of the Executive Council
Minister for Finance and Deregulation Hon. Lindsay Tanner MP
Minister for Trade                    Hon. Simon Crean MP
Minister for Foreign Affairs          Hon. Stephen Smith MP
Minister for Defence                  Hon. Joel Fitzgibbon MP
Minister for Health and Ageing        Hon. Nicola Roxon MP
Minister for Families, Housing, Community Services
    and Indigenous Affairs
Minister for Infrastructure, Transport, Regional
    Development and Local Government and Leader of
    the House
Minister for Broadband, Communications and the
    Digital Economy and Deputy Leader of the
    Government in the Senate
Minister for Innovation, Industry, Science and Research
    Senator Hon. Kim Carr
Minister for Climate Change and Water  Senator Hon. Penny Wong
Minister for the Environment, Heritage and the Arts
    Hon. Peter Garrett AM, MP
Attorney-General                      Hon. Robert McClelland MP
Minister for Human Services and Manager of
    Government Business in the Senate
Minister for Agriculture, Fisheries and Forestry Hon. Tony Burke MP
Minister for Resources and Energy and Minister for
    Tourism                            Hon. Martin Ferguson AM, MP

[The above ministers constitute the cabinet]
RUDD MINISTRY—continued

Minister for Home Affairs
Assistant Treasurer and Minister for Competition Policy and Consumer Affairs
Minister for Veterans’ Affairs
Minister for Housing and Minister for the Status of Women
Minister for Employment Participation
Minister for Defence Science and Personnel
Minister for Small Business, Independent Contractors and the Service Economy and Minister Assisting the Finance Minister on Deregulation
Minister for Superannuation and Corporate Law
Minister for Ageing
Minister for Youth and Minister for Sport
Parliamentary Secretary for Early Childhood Education and Childcare
Parliamentary Secretary for Climate Change
Parliamentary Secretary for Defence Support and Parliamentary Secretary for Water
Parliamentary Secretary for Regional Development and Northern Australia
Parliamentary Secretary for Disabilities and Children’s Services and Parliamentary Secretary for Victorian Bushfire Reconstruction
Parliamentary Secretary for International Development Assistance
Parliamentary Secretary for Pacific Island Affairs
Parliamentary Secretary to the Prime Minister and Parliamentary Secretary for Trade
Parliamentary Secretary for Social Inclusion and Parliamentary Secretary for the Voluntary Sector
Parliamentary Secretary to the Minister for Health and Ageing
Parliamentary Secretary for Multicultural Affairs and Settlement Services
Parliamentary Secretary for Government Service Delivery

Hon. Bob Debus MP
Hon. Chris Bowen MP
Hon. Alan Griffin MP
Hon. Tanya Plibersek MP
Hon. Brendan O’Connor MP
Hon. Warren Snowdon MP
Hon. Dr Craig Emerson MP
Senator Hon. Nick Sherry
Hon. Justine Elliot MP
Hon. Kate Ellis MP
Hon. Maxine McKew MP
Hon. Greg Combet AM, MP
Hon. Dr Mike Kelly AM, MP
Hon. Gary Gray AO, MP
Hon. Bill Shorten MP
Hon. Bob McMullan MP
Hon. Duncan Kerr MP
Hon. Anthony Byrne MP
Senator Hon. Ursula Stephens
Senator Hon. Jan McLucas
Hon. Laurie Ferguson MP
Senator Hon. Mark Arbib
SHADOW MINISTRY

Leader of the Opposition
The Hon Malcolm Turnbull MP

Shadow Minister for Foreign Affairs and Deputy Leader of the Opposition
The Hon Julie Bishop MP

Shadow Minister for Trade, Transport, Regional Development and Local Government and Leader of The Nationals
The Hon Warren Truss MP

Shadow Minister for Broadband, Communications and the Digital Economy and Leader of the Opposition in the Senate
Senator the Hon Nick Minchin

Shadow Minister for Innovation, Industry, Science and Research and Deputy Leader of the Opposition in the Senate
Senator the Hon Eric Abetz

Shadow Treasurer
The Hon Joe Hockey MP

Shadow Minister for Education, Apprenticeships and Training and Manager of Opposition Business in the House
The Hon Christopher Pyne MP

Shadow Minister for Infrastructure and COAG and Shadow Minister Assisting the Leader on Emissions Trading Design
The Hon Andrew Robb AO, MP

Shadow Minister for Finance, Competition Policy and Deregulation
Senator the Hon Helen Coonan

Shadow Minister for Human Services and Deputy Leader of The Nationals
Senator the Hon Nigel Scullion

Shadow Minister for Energy and Resources
The Hon Ian Macfarlane MP

Shadow Minister for Families, Housing, Community Services and Indigenous Affairs
The Hon Tony Abbott MP

Shadow Special Minister of State and Shadow Cabinet Secretary
Senator the Hon Michael Ronaldson

Shadow Minister for Climate Change, Environment and Water
The Hon Greg Hunt MP

Shadow Minister for Health and Ageing
The Hon Peter Dutton MP

Shadow Minister for Defence
Senator the Hon David Johnston

Shadow Attorney-General
Senator the Hon George Brandis SC

Shadow Minister for Agriculture, Fisheries and Forestry
The Hon John Cobb MP

Shadow Minister for Employment and Workplace Relations
Mr Michael Keenan MP

Shadow Minister for Immigration and Citizenship
The Hon Dr Sharman Stone

Shadow Minister for Small Business, Independent Contractors, Tourism and the Arts
Mr Steven Ciobo

[The above constitute the shadow cabinet]
SHADOW MINISTRY—continued

Shadow Minister for Financial Services, Superannuation and Corporate Law
The Hon Chris Pearce MP

Shadow Assistant Treasurer
The Hon Tony Smith MP

Shadow Minister for Sustainable Development and Cities
The Hon Bruce Billson MP

Shadow Minister for Competition Policy and Consumer Affairs and Deputy Manager of Opposition Business in the House
Mr Luke Hartsuyker MP

Shadow Minister for Housing and Local Government
Mr Scott Morrison

Shadow Minister for Ageing
Mrs Margaret May MP

Shadow Minister for Defence Science and Personnel and Assisting Shadow Minister for Defence
The Hon Bob Baldwin MP

Shadow Minister for Veterans’ Affairs
Mrs Louise Markus MP

Shadow Minister for Early Childhood Education, Childcare, Status of Women and Youth
Mrs Sophie Mirabella MP

Shadow Minister for Justice and Customs
The Hon Sussan Ley MP

Shadow Minister for Employment Participation, Training and Sport
Dr Andrew Southcott MP

Shadow Parliamentary Secretary for Northern Australia
Senator the Hon Ian Macdonald

Shadow Parliamentary Secretary for Roads and Transport
Mr Don Randall MP

Shadow Parliamentary Secretary for Regional Development
Mr John Forrest MP

Shadow Parliamentary Secretary for International Development Assistance and Shadow Parliamentary Secretary for Indigenous Affairs
Senator Marise Payne

Shadow Parliamentary Secretary for Energy and Resources
Mr Barry Haase MP

Shadow Parliamentary Secretary for Disabilities, Carers and the Voluntary Sector
Senator Mitch Fifield

Shadow Parliamentary Secretary for Water Resources and Conservation
Mr Mark Coulton MP

Shadow Parliamentary Secretary for Health Administration
Senator Mathias Cormann

Shadow Parliamentary Secretary for Defence
The Hon Peter Lindsay MP

Shadow Parliamentary Secretary for Education
Senator the Hon Brett Mason

Shadow Parliamentary Secretary for Justice and Public Security
Mr Jason Wood MP

Shadow Parliamentary Secretary for Agriculture, Fisheries and Forestry
Senator the Hon Richard Colbeck

Shadow Parliamentary Secretary for Immigration and Citizenship and Shadow Parliamentary Secretary Assisting the Leader in the Senate
Senator Concetta Fierravanti-Wells
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Monday, 16 March 2009

The President (Senator the Hon. John Hogg) took the chair at 12.00 pm and read prayers.

COMMITTEES

Community Affairs Committee Report

The President (12.01 pm)—Pursuant to standing order 38, I present the report of the Community Affairs Committee on the provisions of the Excise Tariff Amendment (2009 Measures No. 1) Bill 2009 and the Customs Tariff Amendment (2009 Measures No. 1) Bill 2009 and a related matter, together with the Hansard record of proceedings and documents presented to the committee, which were presented to a temporary chairman of committees earlier today. In accordance with the terms of the standing order, the publication of the report was authorised.

Ordered that the report be printed.

BUSINESS

Rearrangement

Senator Ludwig (Queensland—Manager of Government Business in the Senate) (12.01 pm)—I move:


Senator Abetz (Tasmania) (12.02 pm)—The opposition is absolutely concerned about this motion and the disarray in which the government finds itself in relation to its agenda. Last week we had the spectre of the Deputy Prime Minister in the other place ridiculing the opposition for not knowing what its stance was in relation to Fair Work Australia—

Government senators interjecting—

Senator Abetz—And the government interject, and they are quite right, because they have lobbed onto the table 50 pages of amendments that I still have not seen and that, as I understand it, have still not been circulated in the chamber. We have a government in disarray that cannot run the Senate, let alone run the country.

Rather than playing politics, they should have been preparing policy. Of course, Ms Gillard is a great one for playing the politics, but she cannot prepare the policy. What is the government so strong about in relation to these matters? That good faith bargaining should come to the fore. Well, what good faith bargaining has there been in relation to this legislation? None whatsoever. The phone calls from our shadow minister, Mr Keenan, go unanswered by the princess, Ms Gillard. She does not deign to return the calls, yet she has the audacity to tell every employer in this country that there is an obligation to engage in good faith bargaining. She does not engage in good faith bargaining but everybody else has to. This is what we are faced with as an opposition and as a country today.

When Labor came to government they said they would have a huge legislative framework for us to deal with—that the parliament would sit before Christmas. It never happened. Then it started sitting as late as a parliament has ever started sitting, in February. This year, the Senate parliamentary timetable will be the shortest that it has been in my lifetime—

Senator Polley interjecting—

Senator Abetz—And yours, Senator Polley, I think. Since 1952, the Senate in a non-election year has never sat for a shorter time than it will this year. So it is hardly overwork that is causing the government the problem that they have with their own agenda. It is the politics that they have been playing that has caused them the problems.
In recent times we have had the government filibustering on its own policies. Remember the stimulus package—filibustering in their own committee stages because they had not got the policy framework right. They were busy playing the politics but not preparing the policy—all about the spin, not about the substance. After a while, if you play spin too long, the lack of substance catches up with you, and that is what Senator Ludwig and the Labor Party are confronted with this afternoon. They have been spinning too much and they do not have their agenda in order.

We as an opposition say that, if you cannot manage the Senate, you clearly cannot manage the country. It is no wonder that, at a time of high unemployment, soaring up to 5.2 per cent, a time of high industrial disputation—it is four times the amount that it was in the last year of the Howard government—and a time of crippling debt being thrown on our country, Labor are now still unable to come up with their substantive policy response.

They promised the Australian people during the 2007 election year and during the campaign that Forward with Fairness was it and that the legislation they would introduce would exactly mirror what was in Forward with Fairness. That was their solemn promise to the Australian people. Today we know, not only from the bill that has been put before us, that they have breached that promise. There is no doubt that, in the 50 extra pages of amendments that we are going to be confronted with today, there will be even more breaches of their policy.

It is little wonder, when they cannot arrange the Senate’s affairs in a timely, proper and substantive manner, that we have a government that is now running a policy to limit skilled migration intake on the one hand whilst on the other hand we have the illegal immigrant intake off our northern borders increasing. This is a government that has no policy vision for this country—it is all about spin, not substance.

It is nice to see some more amendments being circulated on the Fair Work Bill, but still not the Labor Party’s amendments. What we have always said, whilst in government and also in opposition, is that it is ultimately a matter for the government to seek to determine the agenda of the parliament. But, when they make a big song and dance about the need for the Fair Work Bill to be put through, accuse us in the other place of deliberately stalling the legislation and then come into this place the following week seeking to defer the legislation, Ms Gillard and Mr Rudd owe the Senate, the coalition and the Australian people an apology. They have sought to criticise, they have sought to vilify and they have sought to bully the Senate and the coalition into a particular position in relation to this legislation, in circumstances when the government did not even have its own bill ready. That is the hallmark of this government: it is all about the political line; it is not about getting the policy right. It is all about the spin, hoping to get that into the evening news cycle and not worrying about the substance. That is why the Manager of Government Business in the Senate has had to come into this place, humiliated, and ask for the deferral of the Fair Work Bill.

This is the point that needs to be remembered: the government is seeking, by this motion, to defer its own legislation, the Fair Work Bill. This is a government move. I wonder if Ms Gillard will take a dorothy dixer today in question time to vilify Senator Ludwig and the Labor Party in this place, who are moving the deferral of the Fair Work Bill legislation. Of course she will not. And we know why: because she is not interested in the substance of what she says—it is all
about the spin that she hopes to try to get out there.

We say it is up to the government to determine their legislative priority. They can and they will. We will not stand in opposition to that. But what we will point out to the Australian people, and highlight yet again, is the audacity and arrogance of Ms Gillard, who complains that we in the opposition are not dealing with this matter. I say to you, as shadow minister representing the workplace relations portfolio in this place, that we could have got started on this bill, we could have kept going with this, but it is the government, the Labor Party, that are seeking to delay it—and we will remind the Australian people on every possible occasion that it was Labor’s delay, not our delay, when it comes to any criticism in that area. We will not be opposing the move by the government, but we do highlight the substantive shortcomings in relation to the management of the government’s agenda.

**Senator LUDWIG** (Queensland—Manager of Government Business in the Senate) (12.12 pm)—There has certainly been a lot of spin put today. It is my understanding—I am happy to be corrected about this—that the amendments in relation to the Fair Work Bill have been circulated, so it is not correct for Senator Abetz to say that they have not been circulated. I may have misheard him in the spray that he was providing in relation to this issue. It may of course be masking the inability of the opposition to come to grips with how they are actually going to deal with the Fair Work Bill itself. But, in any event, the government stands ready to deal with the legislative agenda for this week. That includes two substantive bills, which we do know will take a considerable amount of time to deal with. Both of these bills, the customs tariff amendment bill and related bill—broadly known as the ‘alcopops bills’—and the Fair Work Bill in committee, will take some time. As I understand it, and I am happy to be corrected—

**Senator Abetz**—It had not been circulated; it is just being circulated now.

**Senator LUDWIG**—Senator Abetz, you had your go. As I understand it the government was in a position to start at noon today—and still is, quite frankly. If it is the wish of the opposition to proceed with it today, we stand ready to proceed with it. As I understand it, we made a reasonable offer, given that the amendments have only been circulated today, so that the opposition could have an opportunity to examine those amendments—although the broad number and type would already have been understood, as I understand it. In that case the government was prepared to accede to that request and deal with the alcopops bills first, to allow the opposition time to deal with those amendments and provide a view, so that we could deal with the committee stage of the Fair Work Bill in a reasonable way and as expeditiously as possible so we could finalise the agenda for this week.

However, if the opposition now wish to change their view about this and do not want the available time to deal with the amendments so that we can start on the Fair Work Bill tomorrow, then we can start on the Fair Work Bill, if that is their wish. My understanding is that we are responding to what the opposition was seeking, but, as I said, we are quite happy to deal with it. But what we do not want is the opposition to say, ‘We need a little bit more time to deal with the amendments,’ and to then end up filibustering. It is about managing the chamber. The government has put a reasonable proposition to the opposition, the Greens and the two Independents so that we can focus our attention on the legislation in a proper way—unlike what I could call Senator Abetz’s spray in this place, which was not helpful. It
did not ensure that the government, the opposition, the Greens and the two Independents are able to deal with the legislation. We have now had to burn time, it seems, while we deal with some spurious allegations that have been raised by the opposition which are, as far as I am informed, not correct.

Therefore, I am looking for the opposition to say whether they intend to support this motion as a sensible way forward so that we can deal with the legislation in a sensible way. We do not intend to filibuster on any of the legislation. We want these bills dealt with as expeditiously as possible and as early as possible. These sets of bills are both crucial. One deals with alcopops and needs to be dealt with this week. For the second, we are proposing to ensure that the opposition, the Greens and the two Independents have sufficient time to deal with both the government amendments and their own amendments in committee in an expeditious way. On that basis, if Senator Abetz is joining us in this process, then we should be able to deal with this legislation early in the week, and that would certainly please the government.

This is a position that I am open to and it is the understanding that I had. If that has changed between this morning and now, then I am only too happy to be advised of that and we can deal with it. It is not the case—and I refute this—that this government does not stand ready to deal with both sets of bills, the Fair Work Bill and the alcopops bills, in any order that the opposition might want to proceed with them. The government is only minded to concede to that to ensure that every party can focus its attention on these bills in the appropriate way so that we do not delay but deal with these in an expeditious way.

Question agreed to.

CUSTOMS TARIFF AMENDMENT (2009 MEASURES No. 1) BILL 2009
EXCISE TARIFF AMENDMENT (2009 MEASURES No. 1) BILL 2009

Second Reading
Debate resumed from 11 March, on motion by Senator McLucas:
That these bills be now read a second time.

Senator CORMANN (Western Australia) (12.18 pm)—This legislation, the Customs Tariff Amendment (2009 Measures No. 1) Bill 2009 and a related bill, is asking the parliament to validate the increased tax on ready-to-drinks and is a clear demonstration that the Rudd Labor government does not believe in evidence based policy. Nearly 12 months ago the government increased the tax on ready-to-drinks by 70 per cent, and of course for political purposes the government dressed that up as a health measure. It is much easier to sell an increased tax, a $3.1 billion tax measure, if you can dress it up as something aimed at reducing binge drinking, reducing risky levels of alcohol consumption and reducing alcohol abuse related harm in the community.

Who would not agree that we should do everything we can to reduce binge drinking, to reduce alcohol abuse related harm and, more broadly, to reduce risky levels of alcohol consumption? But has the government presented us with any evidence whatsoever that as a result of this measure or since this measure came into effect on 27 April 2008 there has been a reduction in any of those indicators that I have just listed? Has the government presented us with any evidence that there has been a reduction in risky levels of alcohol consumption in the target group that the minister keeps talking about? She points out that this particular measure is aimed at younger people. Has the minister, the government or anybody presented us with any evidence that, as a result of this
measure or since it became effective on 27 April 2008, there has been a reduction in alcohol abuse related harm in the community? No, of course the government has not, and neither has anybody else, not those who came before the inquiry last week to argue strongly that the Senate should support this measure and not the government.

The opposition pursued a Senate inquiry into this measure by the Senate Standing Committee on Community Affairs to give the Rudd Labor government every opportunity to present any evidence it had that the measure had worked, that the measure had indeed been effective in reducing alcohol related harm in the community. We have been asking the government for months to present us with the evidence. At Senate estimates in October we put a whole series of questions on notice. It took four or five months for the government to even get back to us, and some were straightforward questions—for example, this question to Treasury: how much additional revenue have you raised as a result of this increased tax on ready-to-drinks? It was not answered. Do you know what the reply from Treasury was? Do you know what the reply was from this arrogant government? ‘This information is not publicly available’—as if Senate committees could only ask questions about information that is on the public record. Why do we have Senate inquiries? Why do we have estimates processes if it is not to scrutinise the government and check whether what it said in the budget it would achieve is actually being achieved?

Focusing on the health aspects of this legislation for a moment, it is true to say that all of the health groups and experts came to our inquiry and said that they wanted this legislation supported by the Senate. Yet at the same time and within three minutes of that evidence being put to the community affairs committee—in the same breath—most of them said: ‘What we ultimately want is a volumetric approach to alcohol taxation. We want those beverages with less alcohol content to be taxed less than those beverages with a higher alcohol content because we think that ultimately that is the most effective way to address the alcohol abuse related problems in our community.’

You cannot have it both ways. I think that when they were asked questions about it during the Senate inquiry some witnesses actually realised that their logic was flawed—because you cannot argue that we should ramp up a tax on one product that is comparatively low in alcohol content while at the same time pursue a taxation regime that will result in lower levels of taxation for those same products. Considering that most of the health groups put the proposition that their holy grail—what they ultimately wanted to achieve—was a volumetric approach to alcohol taxation, I put it to the Senate that if that is the ultimate public health policy objective then this measure is a step in the wrong direction.

I just want to reflect on process for a moment. This measure became effective—it was implemented by the government—nearly 12 months ago. We are debating this measure in the Senate with four sitting days to go before we reach the ultimate deadline. There is absolutely no room for the Senate to have a proper conversation about whether this is an effective measure or whether it ought to be improved. The government ought to be ashamed of the way they are treating the Senate in relation to what they call an important piece of legislation. No doubt the government were concerned that perhaps they did not have the support of the Senate for the 70 per cent increase in the tax on ready-to-drink beverages. Let us just put this measure into the context of the budget. This was announced as part of an organised pre-budget leak towards the end of April—in good time for the Sunday papers. That date,
27 April, was a Sunday and all of the Sunday papers had a well-informed source, a ‘senior government official’, who happened to know a lot about the purpose of this tax grab from a health policy point of view. In the budget the government wanted to raise $3.1 billion with this tax. Just remember that this was after the government came out of a pre-election period where the Prime Minister sold himself as an economic and fiscal conservative. I know that that seems like a very long time ago. This was the period before the government rediscovered the ‘temporary deficit’. It was at a time when the government thought it was still important to maintain the pretence of preserving the surplus that was left to them by the previous government.

Let us just remind ourselves that the first budget of the Rudd Labor government increased net spending by $15 billion and increased taxes by nearly $20 billion. This is obviously not the message that the Rudd Labor government wanted to be out there in the community. So what did the government do? They quickly went ahead to find a couple of tax measures that were politically palatable: ‘How can we apply a tax to some people who are easy targets?’ or ‘How can we apply a tax and make sure that the community is going to go along with it? How can we make sure that the community is not going to come after us, because, contrary to what we said before the election, we are increasing taxes by nearly $20 billion in this budget?’ So they came up with a couple of measures, and this one was the biggest—at that time, at least. Things have changed in relation to that too. At the time the government thought that this was going to raise $3.1 billion.

As I said in my opening remarks, how can anyone possibly disagree that we should do everything we can to reduce binge drinking? If that was what this legislation did, how could we disagree? We would not. But this legislation does not do that. Who can forget—I am sure Senator Cash will remember it—the $2½ billion tax on the North West Shelf gas project? Who can disagree with hitting big oil and gas businesses with a tax slug? Essentially, we had a government, in their first term, looking for the easy tax targets. They were looking for a way to preserve the $22 billion surplus that they were left with.

So what is the government actually doing? It is talking about jacking up a tax on sweet drinks, but essentially all the government is doing is abolishing the category ‘other excisable beverages not exceeding 10 per cent by volume of alcohol’. In effect, the government is putting those ready-to-drinks with less than 10 per cent alcohol into the category of full-strength spirits. Since 27 April 2008 those ready-to-drinks with an alcohol content of less than 10 per cent have been taxed at the same rate as full-strength spirits. What is the logic in that? Essentially the government is removing the incentive—which is generally promoted by health groups, and was promoted by health groups before our community affairs committee inquiry—which is aimed at encouraging the consumption of comparatively lower strength alcoholic beverages. This legislation before the Senate today seeks to validate that decision. Where does this fit with the logic promoted by health groups that what they want is taxation of alcohol based on the level of alcohol content—on the strength of the alcohol in particular beverages? The reality is that it does not.

Before the election, and since, we have heard a lot from the Prime Minister putting the proposition that Labor was committed to evidence based policy development. It is quite funny, because, about three days after a senior government official leaked this particular measure, the Prime Minister addressed a number of senior officials, heads of
agencies and other senior executive officers in the Great Hall in Parliament House and essentially told them that as part of its agenda for the Public Service the government was committed to ensuring ‘a robust, evidence based policymaking process’. He said:

Policy design and policy evaluation should be driven by analysis of all the available options, and not by ideology.

He went on:

The Government will not adopt overseas models uncritically.

We’re interested in facts, not fads.

Coalition senators identified in the first report that there was no evidence to suggest that this measure would work. In fact, where people had tried this overseas, the evidence demonstrated very clearly that it had not worked. In particular, evidence was brought forward about Germany. They increased a similar tax in 2004 only to see the consumption of alcohol increase in the period from 2004 to 2007. In promoting this particular measure, the government, in its rhetoric, relied very heavily on the data that came out of the Australian Institute of Health and Welfare’s 2007 National Drug Strategy Household Survey. For example, this is what the Treasurer, Mr Swan, said when he was asked about this on 30 April:

… I can’t comment on budget decisions, that’s for Budget night. I just make this point about the excise increase on RTDs: that was closing a loophole that was left open some years ago, and it also relates to teenage binge drinking. So, it was a very specific initiative for very specific reasons.

David Speers, a very smart man, said:

… But teenagers binge drink beer and other drinks as well.

No kidding! Here is the Treasurer’s response:

… I think the evidence is pretty clear from all of the experts that this measure will have an impact on teenage binge drinking, and it should be seen in that light, not in the light of revenue.

We have been asking the government ever since to show us that evidence and we still have not seen it. We have tried every procedural trick in the book, including an order of the Senate, to try to force the government to provide us with some information. We have given the government every opportunity to show us some evidence, including a Senate inquiry which took place over two days last week. Here is a quote from the Prime Minister. A caller to Neil Mitchell’s show on Radio 3AW in Melbourne on 2 May 2008 said:

… But, these prices are also affecting the prices that adults, that have paid taxes like myself for 30 years, we’re just an average family, and mixed drinks like Johnny Walker and cola or Jim Bean and cola have all gone up.

The Prime Minister said:

… Well, we’ve got a real problem when it comes to teenage binge drinking. Talk to any police commissioner across the country and they’ll tell you that.

Later he said:

… the National Household Drugs Survey says that we’ve now got 30-40,000 teenage girls aged 14-19 and 23,000 boys the same age, consuming alcohol at a level that puts them at high risk of long term harm.

If ever there were selective quoting this was it. Have a look at the evidence and have a look at the submissions put to the committee by the Australian Institute of Health and Welfare. This is what they said about their 2007 National Drug Strategy Household Survey findings. They said a number of things, including:

- the overall drinking drinking status of the Australian population has been stable over the past two decades.
- there has been a modest increase in the apparent consumption of —

RTD——
alcohol beverages over the past five years:

- the preference for RTDs has increased slightly over the period 2001-2007, particularly in older age groups ...
- there has been virtually no change in the pattern of risky drinking over the period 2001-2007, including among young Australians ... the increased availability of RTDs does not appear to have directly contributed to an increase in risky alcohol consumption.

How could the Prime Minister get it so wrong when the evidence is so clear? Looking at the very extensive surveys conducted in 2001, 2004 and 2007 by the Australian Institute of Health and Welfare, we see they identified that the drink of choice for those drinking alcohol at risky or high-risk levels was—guess what? Do you think it was alcopops? Do you think it was RTDs? No, it was not. It was full-strength beer for males of all age groups, including 14- to 19-year-olds; full-strength bottled spirits and liqueurs for females in the age bracket 14 to 29; and wine for females 30 years and older. It looks like David Speers of Sky News was onto something.

So much for evidence based policy development! But that was then. The reason we had this inquiry was that we thought it had been nearly a year and perhaps the government had been able to collect some data. Perhaps the government now had some evidence that this measure had actually worked in reducing at-risk levels of alcohol consumption or alcohol abuse related harm in the community. The stated objective of the government was to reduce binge drinking, particularly among young people, to reduce at-risk levels of alcohol consumption and alcohol abuse related harm. Is that what we have seen? No, the only thing we have seen is a collapse in the estimated revenue, down by $1.5 billion. When you think it cannot go further, this government takes spin to another level. We have a government that estimated a year ago that this was going to bring in $3.1 billion. But it has missed out on $1.5 billion already. So what does the minister do? She turns around and says, ‘That’s what we always wanted. This just proves that the measure is really working.’ Where did it say that in the budget papers? Where did it say in the budget papers that the government expected to collect $1.5 billion less?

Look at the fine print. The government did actually have to provide some of the answers through some of the processes that we followed. Having listened to the minister over the last couple of weeks, you would say that the government expects alcopops consumption to be reduced as a result of this measure into the future. Senator Nick Xenophon, you should listen to this very carefully. The government, as a result of this measure, still expects alcopops consumption to increase over the years ahead from 2009-10 onwards and by 7.8 per cent every year. All of this spin and all of this rhetoric that this measure has been successful in reducing the consumption of RTDs is just that—spin and rhetoric. If you look at the figures in the MYEFO for 2008-09, clearance growth rate estimates, you see a 7.8 per cent increase in the sale and consumption of RTDs in 2009-10 and in every single one of the out years.

Is there any evidence of reduced consumption among problem drinkers? I am starting to run out of time, but I invite you to look very closely through the coalition senators’ dissenting report. You will see a whole series of quotes and statements made by various health experts, health professionals and health association representatives. Every single one of them conceded that there was absolutely no evidence that, since this measure had been implemented, there had been a reduction in at-risk levels of alcohol consumption or a reduction in harm from alcohol related abuse in the community.
Are Australians drinking less? It is true to say that in 2008 there was a reduction in the sale of RTDs. Who would have expected anything else? I agree with the proposition that if you increase price you will reduce demand. But who is drinking less? The reality is what is happening, and how sustainable is that? The Australian Drug Foundation and a lot of the other health groups presented a survey from ACNielsen. The Australian Drug Foundation also presented us with a very good graph that showed that overall alcohol consumption, compared with the same months in the previous year, has been trending upwards. In December and January, after eight months of this measure being in place, alcohol consumption was higher than it was in the same months the year before. Given that there was not any reduction in emergency department admissions as a result of alcohol abuse during the first eight months of this measure, now that we are back in an upwards trend do not expect any reductions in alcohol related hospital admissions in the future, and certainly not just as a result of this measure. The government will have to do all sorts of other things. (Time expired)

Senator SIEWERT (Western Australia) (12.38 pm)—The Australian Greens have maintained a consistent position on this issue throughout this debate on the Customs Tariff Amendment (2009 Measures No. 1) Bill 2009 and related bill. We made it clear from the outset that we want a comprehensive approach when dealing with the abuse of alcohol in this country. We have a clear position focused on harm minimisation, reducing the influence of alcohol on our culture, protecting the young and the vulnerable and offering help and support to those in need. Our position is evidence based and, believe me, we have researched the issue very thoroughly. Our position is consistent with that advocated by doctors, public health advocates and drug and alcohol experts, and it has been developed in consultation with these groups.

We support, in principle, taxation measures that increase the costs of ‘bads’, which are the things that incur a cost to society, that cause people harm or do damage to the environment. Such measures send both a clear price signal and the message that these activities are undesirable. It also provides a secure source of revenue that can and should be directed to reducing the harm caused by these things. The impact of alcohol, its cost and the harm it does are very significant in our community. We noted with interest a statement released today by the Royal Australasian College of Physicians entitled ‘Alcohol taxation policy in Australia: public health imperatives for action’. The statement quotes figures in relation to alcohol harm and points out that, yet again, they are at an unacceptable level. It documents the following facts:

An estimated 3494 Australians died in the 2004–05 financial year because of their alcohol consumption.

The estimated cost to Australian society of alcohol-related health harms, lost productivity, and crime in 2004–05 was $15.3 billion.

In 2003, an estimated 3.2% of the total burden of disease and injury in Australia was attributable to alcohol.

In 2007, 37.4% of males and 41.2% of females aged 14–19 years reported consuming alcohol at a level that placed them at risk of short-term harm (eg, being involved in a fight or a car crash, or engaging in risky sexual behaviour) in the past year. Just under one in 10 in this age group (8.8% of males, 9.4% of females) did so every week.

In the 10 years to 2002, an estimated five people aged 15–24 years died and 216 were admitted to hospital every week as a result of drinking alcohol. People of this age account for about 52% of all alcohol-related serious road injuries.

In other words, alcohol places a very high financial cost on our society, but you cannot
put a dollar value on the harm that it causes in terms of the misery, grief, assaults et cetera that arise from alcohol abuse.

At the same time that this alcohol related harm costs our community over $15 billion a year, alcohol delivers to the Commonwealth over $7 billion a year in customs and excise revenue—that is a lot of money. And that was before the introduction of the additional excise on RTDs, which is estimated to be $1.6 billion over the next four years. We believe the government needs to be spending much more of this money on preventing harm, reducing impacts and helping those who suffer. We have evidence of what works to reduce the risky consumption of alcohol, in addition to tobacco and junk food. It is not enough to put in place a price mechanism alone. We need a comprehensive strategy that will tackle alcohol in the way that we have tackled tobacco. As I said, the Greens have consistently advocated this position since this tax was introduced. Unfortunately, the government is offering only partial measures and holding back from tackling some of the most substantial issues, such as stopping the advertising of alcohol to children, phasing out alcohol sponsorship of sport, taking a tougher approach to the alcohol-fuelled bad behaviour of some of our high-profile people, mandating warning messages on all alcohol advertising and at points of sale, requiring prominent hard-hitting warning labels and investing in early identification, counselling and rehabilitation.

We do not believe it is acceptable for the government to sit back and rake in the alcohol tax dollars without taking a more comprehensive approach and investing more of the massive revenue from alcohol taxes in addressing alcohol related harm. We believe there is an absolute moral imperative for the government to act on this more comprehensive approach. All the public health experts have told us the same thing over and over again in evidence: we need a comprehensive approach. In the evidence presented to the committee—and I was obviously listening to different experts or to a different committee from that mentioned by Senator Cormann, because I heard the health advocates speak very strongly in favour of this tax.

**Senator Cormann**—Did they give you any evidence?

**Senator Siewert**—They also presented a large amount of evidence that I will get to in a minute. They did say that they would prefer a more comprehensive approach and that the alcopops tax needs to be part of an integrated and sustained national campaign if we want to turn around this scourge on our society. They said that we need more dollars invested in things that work.

High levels of risky drinking and high rates of alcohol related harm among young Australians are unfortunately nothing new. This is in fact not a sudden crisis. The real growth in risky drinking occurred in the eighties and it has been sustained since then. The medical evidence shows that, as does the evidence as to alcohol sales. It also shows that there has been a shift in the pattern of drinking, a shift to RTDs. In fact, Australia has the dubious distinction of having the highest rates of sales of RTDs in the world. Since the eighties, consumption has plateaued, but it remains very high in world terms. In other words, just to say that it has plateaued and that therefore we do not have a problem is not right. We have an exceedingly high rate of abuse of alcohol consumption in world terms. Therefore, we do need to be doing something about it.

The Greens are particularly concerned about the growth in the sales of alcopops. Their sweetness, we believe, is clearly designed to mask the taste of alcohol and make them particularly attractive to young drink-
ers. They are colourful and are designed to appeal to young drinkers. They have a high alcohol content. Their marketing is directed towards the young, despite what the industry says. It increases risky drinking behaviour by the young, particularly by young women. Unfortunately, there are lots of media stories about the risky drinking behaviour of young people.

The evidence presented to the Senate committee indicated that the RTD excise has reduced the sales of RTDs. I do not think there is any dispute from any of us about that. In fact, it also showed that overall sales of alcohol have gone down very slightly. There has been some level of substitution, but that is relatively small. The Australia Taxation Office figures show that the growth in excisable alcohol consumption—that is, beer, spirits and RTDs—has slowed by 0.1 per cent since the increase in the excise of RTDs for the period from May 2008 to January 2009. That is compared with the previous year. By comparison, the previous three years recorded solid growth in excisable alcohol consumption: 6.6 per cent in 2005-06, two per cent in 2006-07 and 2.7 per cent in 2007-08. So there was a very slight decrease in alcohol sales.

Evidence shows that young drinkers and problem drinkers are particularly sensitive to price signals. Increasing the cost of alcohol, particularly those drinks whose taste and marketing appeal to young drinkers, is more likely to delay when underage drinkers start drinking and how much they drink. The article I referred to earlier from the Royal Australasian College of Physicians also points out:

A 2009 review of 112 studies found that higher taxes and prices led to reduced consumption of alcohol, both for overall consumption and for measures of heavy drinking. In particular, young people’s drinking was very sensitive to price because their discretionary income is relatively small. A recent World Health Organization expert committee report concluded:

Policies that increase alcohol prices have been shown to reduce the proportion of young people who are heavy drinkers, to reduce underage drinking, and to reduce per occasion binge drinking. Higher prices also delay intentions among younger teenagers to start drinking and slow progression towards drinking larger amounts.

Substitution does remain a risk for those with established drinking patterns, which is why we need a comprehensive approach. In Scotland, for example, they are looking at other price mechanisms, such as the minimum price per standard drink. It was also in the media over the last few days or so that England is considering a similar sort of approach.

The Greens remain concerned that without complementary measures the impact of the RTD excise on levels of harmful drinking may be short lived. We believe we have a small window of opportunity that may be squandered if we do not put in place complementary measures. The Greens believe that the sales data indicates that there has been a reduction in consumption and that there has been some substitution but that that in no way matches the decrease in RTDs. But, as I said, we are very worried that what will happen is that this opportunity will be lost, that the price mechanism will become less and less effective if we do not also put in place comprehensive measures that the research very clearly shows are needed. Overseas evidence also indicates that where price has been used as a mechanism it has been successful when it has been done through a comprehensive approach. Where it has been used as a single mechanism it has failed. The evidence that was just quoted from overseas is selective in that the surveys do not include complementary measures, which is why the Greens are so emphatic that this measure
needs to be part of a comprehensive package and have complementary measures included.

The Greens have been raising the issue of advertising. Our policy position for a number of years has been that we should end all advertising of alcohol products in the same way that we have ended the advertising of tobacco products. We first need to close the loophole that is in place at the moment that allows some advertising of alcohol to kids during sports transmissions. We need to expand the time when kids are not able to watch alcohol advertising on television to at least 9.30 at night. We believe that there need to be very clear mandatory warnings on all alcohol advertising about the harm that alcohol can do. We also believe that the voluntary regulation of the industry has failed.

At this point I would like to point out my dismay and disgust at the campaign that the industry have run undermining this particular measure and the fact that Australia should be doing something about alcohol abuse in this country. That they offered every politician in this building alcopops just before Christmas absolutely dismayed me. I thought it was a disgrace that they should be out there campaigning and lobbying politicians in such a manner. They also refused, during the Senate inquiry, to tell us how much they had spent on advertising and promoting a position contrary to this pricing measure and undercutting it. It was very difficult, therefore, for the committee to establish how much their negative campaign had undermined the success of the price mechanism. They used ‘commercial-in-confidence’ as an excuse for not informing the committee as to how much they had actually invested in trying to stop this mechanism.

The industry were also unable to tell us how much had been spent in their promotional activities offering bottles of spirits with free bottles of Coke to replace alcopops—again, undermining the success of this measure. I do not know how many ads were placed in newspapers across this country encouraging people to beat the ‘alcopops meanies’ by buying straight spirits and mixing them with free bottles of Coke—again, undermining the intent of this measure.

The Greens are particularly concerned about the links between sports sponsorship and alcohol. Again, we think these links need to be broken. We believe sports sponsorship by the alcohol industry at every level of sport needs to be stopped, the same way it was with tobacco. We made that decision years ago because we understood the links between tobacco and sports sponsorship, and the same links are there between alcohol and sport sponsorship. We believe we need to phase that out. We cannot stop it straightaway of course, because we need to do it in a rational manner. We believe we need to start substituting alcohol industry funding of sporting bodies with funding from other sponsors. We need to encourage sports through sponsorship that promotes public health messages. We believe we need to offer help to local clubs and community organisations and give them a choice—to replace alcohol sponsorship or local tavern sponsorship with sponsorship promoting a healthy lifestyle. We also strongly encourage identifying and supporting champions and advocates of much healthier outcomes through sport.

We believe the Australian public has had enough of alcohol-fuelled bad behaviour by our sporting stars at sporting events or in violent public brawls and, unfortunately, in the sexual assaults that have been associated with binge drinking and alcohol abuse. We believe it is time for the government to act. We are concerned, for example, that the Australian cricket team is sponsored by VB. What messages does that send to young Australians when they see our cricket stars, when
they win, all standing there for a group photo with VBs in their hands? It sends very poor messages: if you are going to be a successful sports star it is okay to drink or you have to drink to be a sports star. Those messages are all negative, messages that we should not be sending to our young people today.

We are also concerned about labels on alcohol products. We believe that there should be mandatory warning labels.

We are concerned about the fact that access to data in this area is inadequate. It is an issue that has come up again and again in this debate, including from health professionals in committee hearings. What has come up repeatedly is the manner in which data is collected, and its consistency, reliability and accuracy across the country. We believe there needs to be a national approach to data collection and that data collection is fundamental to monitoring and evaluating the impact of not only this policy but also our other policies related to alcohol harm.

We also believe we need early identification and support services. We need to develop and resource early identification and referral services for at-risk drinkers, and maximise the benefits of early intervention, particularly for young drinkers. The Greens are particularly keen that we have early intervention nurses in emergency departments and a single national drug and alcohol hotline number to connect individuals, their family or friends through to existing state and territory drug and alcohol services. There also need to be services focused on particular groups of people—for example, for older people—because alcohol related harm is not just about young people. We need to remember that alcohol abuse affects the whole spectrum of society and we need to offer services to all those people. We need joined-up services offering a client-focused approach to referral, treatment and rehabilitation in a timely manner.

Then, of course, we believe very strongly that we need a well-resourced, sustained national campaign to curb risky drinking and reduce alcohol related harm. We need well-targeted, hard-hitting messages, and not just for young people, as I said. We need an evidence based approach. We need these messages created by an independent authority with no industry involvement. We believe our social marketing programs need to evolve based on the evolving body of evidence.

In conclusion, I would like to just point out the key elements of the Greens’ suggested approach. We have very strong sympathy for this price mechanism. We do think price is a key part of a comprehensive package, but we do not believe that the government have delivered enough of a comprehensive approach. They have not addressed the issues around advertising and sponsorship, which we believe are key components. We very strongly encourage them to look at mandatory warning labels on alcohol products and in advertisements. In addition, they need to look at the issues around data collection, because they are absolutely vital if we are going to have evidence based policy driving our approach to alcohol abuse and alcohol related harm.

Senator CORMANN (Western Australia) (12.58 pm)—I move the second reading amendment standing in my name:

At the end of the motion, add “but the Senate calls on the Government to appropriate all revenue collected as a result of the increased tax on ready-to-drink alcoholic beverages between 27 April 2008 and the date of commencement of these bills towards genuine measures to address binge drinking, including an alcohol abuse prevention, research, education, treatment and other measures package”.
I seek leave to make a brief explanatory statement. I ran out of time before.

Leave granted.

Senator CORMANN—Essentially, this amendment relates to the opposition’s intention to see all revenue collected by the federal government since 27 April 2008 as a result of the increased tax on RTDs invested in an alcohol abuse prevention, research, education and treatment package.

The ACTING DEPUTY PRESIDENT (Senator Forshaw)—Senator Cormann—

Senator CORMANN—I sought leave to make a brief statement.

The ACTING DEPUTY PRESIDENT—Yes, okay. I am just making sure that you are not seeking to have a second bite at debating the issue.

Senator CORMANN—I make the point that this is consistent with the recommendations of coalition senators and is in the context of the Minister for Health and Ageing’s second reading speech where she raised the concern that, if this measure were defeated, the revenue collected so far would have to be returned to the alcopops industry. Of course, this is not the intention of the opposition, which is why I have moved on behalf of the opposition the amendment standing in my name.

Senator MOORE (Queensland) (1.00 pm)—The Customs Tariff Amendment (2009 Measures No. 1) Bill 2009 and the Excise Tariff Amendment (2009 Measures No. 1) Bill 2009 will not cease binge drinking in our country. To be fair, no-one has ever claimed that they would. There has been a particularly emotional debate around this issue, and in many ways that should be applauded. The issue of binge drinking and the range of measures that must be taken in this country to address this problem are now clearly on the agenda.

The Senate Standing Committee on Community Affairs has had three opportunities in the last year to look at the issue of alcohol in our community. This process has been very valuable. It has been confronting and quite scary for those people who have had the opportunity to see the submissions that have been presented from across the board. A wide range of public health groups, drug and alcohol agencies and individuals who are concerned about what is happening in this country are on one side claiming that any step forward, particularly one that is looking at the impact of alcohol on young people, is the right thing to do. On the other side there are the marketers, the hotel industry, the distillers and the people who provide and market alcohol claiming that they also want to be part of this process. I commend those people from the industry who do want to be part of this process. They have shown at different times that they wish to be so. Throughout this process there has been a clear divide. I encourage people to look at the submissions, the evidence and the conclusions of the community affairs committee and weigh up what has come before us.

It is very clear that there has never been a claim from the government that introducing these two pieces of legislation will in itself end the alcohol issues in this community. I am disappointed that there has been an attempt to portray it in such a way. We have an integrated process of policy, community consultation and engagement looking at the issues in our community and coming up with ways in which we can be part of the solution. This tax that is before us was introduced about 12 months ago. There has been a process of community involvement in that time. This tax is but one step, and that must be remembered.

No matter how many times the various public health groups before us were asked whether they thought this was right, whether
they thought it would be a backwards step and whether it was their key issue, consistently they said that, whilst there needs to be more action taken and there is support for changes to the wider taxation system—and the people who came before the community affairs committee had taken the opportunity provided by the government with the Henry tax review to consider the wider issues of tax—this is a step that must be taken. That is clear and on the record. This step has brought forward the debate in the community and is part of the wider response to the issue.

The point was made in the submissions put forward by a wide range of public health groups to the Henry tax review and which were provided to our committee that, whilst considering that in some ways a change to a volumetric tax system may be positive, there always remains the need for flexibility within the system to respond to particular issues. If particular products raise questions or could provide danger, there should be the flexibility in our system to handle them differently, to isolate them. We need to go forward with a tax system that can do that.

The attempts to say that the legislation before us today is not in tune with the wider review of the tax system are just not true. In fact, people were given the opportunity in the community affairs committee consistently by the opposition, who were seeking to bring forward that answer, to say that and consistently the people gave the response that they want this measure passed as well as they want wider discussion and wider consideration of the tax issues. That is on the record, and I draw people’s attention to it.

This legislation is not a one-off response to the issue. The Rudd Labor government introduced as part our election commitment the National Binge Drinking Strategy. That does look at advertising campaigns, engagement with the community and the process of early intervention. It is all spelt out and it is all available. Of course, there is the argument that more could be done. I think that is part of the debate that we must have. The alcopops tax—that is the jargon that is being widely used, and instead of reading out the full title I will continue to use that term—is but one step. It was brought into being because of widespread concern amongst the community about these drinks. The history of the alcopops tax was discussed by the committee. In the midst of the GST discussions there was consideration to put these drinks at a different level of taxation to bring them in line with some of the beer products. However, from that point on we have seen a clear blossoming of this industry across the country and an amazing increase in the way these products are marketed and the community’s response in buying them.

Of particular concern—and this has been raised many times—was the way that these attractive sweet drinks, be they the white based spirits that are in the pink and green alcopops or the dark spirits contained in the RTDs, were marketed to young people who were beginning to look at going into a drinking culture. These could be the way that they take the first step. Whilst it is very difficult in this case to point to particular evidence, this could be seen with the alcohol sales, the people who were buying them and the people who were seen using them. The marketing campaigns were clearly focused on younger drinkers—both male and female. Whilst much of the evidence that came before our committee focused on young women, certainly there was a focus on young men as well, particularly in relation to the darker spirits.

Through the series of committee inquiries, we saw examples of alcohol campaigns that were focused on young people. Concerns were raised by a number of public health associations and the Australian Medical Association about the marketing of very sweet
alcohols—where the actual alcohol taste is blanketed—so that people start to use large volumes of these spirits without really understanding the volume that they were consuming. In terms of the public health message this was a consistent theme in all the committees in which I was able to take part.

We had within the system the identification of a particular product, which was a very high sales based product that is drunk by young people. That was identified by the government as a step to reverse the taxation treatment for that particular product which led to a wider ranging campaign on the evils of binge drinking and to raise awareness across the community about what can occur, what is a healthy rate of drinking and then to engage people in this discussion. For too long these issues have been seen as a wowsershish approach to the issue or something that is done by people in an isolated way in health academia or as some form of punitive treatment.

Indeed, this is one of the hallmarks of the current National Binge Drinking Strategy, which has been implemented by the Labor government. What we are clearly trying to do is get people involved at the local level so that all these issues are on the table so that they can work with their communities to come to an understanding and identify what is harmful drinking and to work with the stats and figures that are produced by various respected organisations. It does not matter how many times people use the term ‘risky drinking’ or throw around the term ‘how many drinks are safe’. Until people actually own those issues and identify what is appropriate behaviour and spread that message, effectively, there will be no change.

One of the things that we had in the National Binge Drinking Strategy of which I am most proud was the number of community grants that have been made to organisations across the country with the theme of working at the local level to ensure that people are making their own decisions and are actually working effectively. I want to particularly mention one that I have been involved with, which is on the Sunshine Coast, working with some of the providers and outlets that are selling the alcohol, with communities, youth organisations and families to work together so that these messages can be provided. Within and as part of that structure the issue of alcopops is on the agenda. What we have to identify are the initial steps towards drinking and how we can actually engage at that time.

It is particularly clear that the updated National Health and Medical Research Council figures, which only came out last week, show that drinking amongst young people, particularly those under the age of 18, should not happen—but we know that it does. What we need to happen is for those statistics to be made real so that people identify their own risk and work towards coming up with a solution, not having it mandated from outside so that there is no ownership. One of the key aspects of what the government have come up with is a demand for an evidence based approach. It is particularly important that we work to ensure that we have effective data that people can agree on rather than what has happened consistently in the community affairs processes, which is an argument over whose data is better. Sometimes the exact same survey results are used to make arguments and are phrased in such a way that it is as though they are in two different languages.

The Department of Health and Ageing have given a particularly clear response to that question in their submission that they brought to the community affairs committee last week. We need to have some form of agreed database and some way of evaluation so that we can see what is working and what
is not, so that the community can understand that this is not something that people will use for quick, five-second media grabs to make their own point. It is all too easy to use it in that way. You create an expectation, you throw around a few figures, and then that issue is finished and you go onto the next one.

We need to have is an agreed database. What we found in the community affairs committee inquiry is that there are a number of surveys that are auspiced by the government to gather information, key of which are the Australian Secondary School Students Use of Alcohol Survey and the National Drug Strategy Household Survey. Both of these are conducted at certain periods and the information then takes time to be collated and then publicised. Senator Cormann made comments about the fact that, within the 12 months, there is no absolute evidence that can be brought forward using the survey data to show that particular elements have worked.

The one thing that became clear for our committee was that the tax office figures on excise show exactly what alcohol has been bought by markets in the last period of time. No-one can argue with that. How that data is being used and how particular organisations can then say what has happened in their own market is subject to a great deal of debate, which we saw.

The department said that they need to design a specific RTD module for inclusion in the 2010 Australian Secondary School Students Use of Alcohol Survey and also in the 2010 National Drug Strategy Household Survey. When they have that data collected, there will be particular modules on RTDs so that we will be able to look specifically, on the basis of the survey results, at what people have said about their consumption, the harms and the risky behaviour.

There is also a series of national evaluation reports that are coming up in the next few months about the steps that have already been taken on the national binge drinking campaign. There is the advertising campaign and information on what has been happening with the community grants. They will be able to feed that information into the mix and see what exactly has been going on.

In 2009 the department is implementing a program that will standardise and improve the quality of alcohol data in Australia. Previously, indicators of harm have come from the National Alcohol Indicators Project, which was the sole source of high-quality alcohol related harms data at the national level. We need to update that and we need to have this particular database understood and agreed so that we will not have the wrestling around whose figures are better than others.

In 2009 the department will also commission a national drug and alcohol research organisation to develop agreed national standards for deriving alcohol statistics covering consumption, harms and, most importantly, sales and other relevant information. This will and must enable the derivation of more reliable trends that will add to a better understanding of the extent of risky drinking and the harms it can cause. This data collection is essential, but we heard from the public health groups during our discussions both last year and last week that it takes a long time to actually identify and see the results of any change brought about through public health initiatives. In 12 months it is impossible to come up with quantifiable data that can be used effectively to mount an argument. What we need is an agreement whereby, as one part of the national scheme, we closely watch these products to see what happens as the tax continues to cut in.

There is data that this tax has caused a lowering of the sales of RTD products. There
is no doubt that it has. Where there is doubt is exactly where the sales have gone, and conflicting figures have been brought forward. The industry groups—the brewers and the wine industry—were very clear that they felt there had not been a ballooning of sales towards a substitute. As you would remember, Madam Acting Deputy President, when the prospect of this tax was raised last year a lot was made of the evils of substitution and how, as soon as people could not buy the alcohol in one form, they would turn to another. There was never any promise that that would not happen; in fact, there was an understanding that it would. What we need to do is quantify that and, most importantly, engage effectively with drinkers and with the suppliers of these products to see how we can best address the issue of unwise drinking. Different labels continue to be used. I do not think we are using the term ‘risky’ anymore; the latest information talks about ‘safe’ and ‘unsafe’ drinking.

There is no doubt that alcohol and the alcohol culture must be considered as a serious threat to some people in our community—not all. There continues to be the issue that, in attempts by some to make an argument, it has to be everything or nothing. We need to engage reasonably on this issue, work effectively together and not just be most concerned about our own particular market. The government stands committed to retaining these two pieces of legislation as one part of a wider strategy to address the horrors—and I use that term advisedly—of drinking in our community. We have seen examples of the effects of binge drinking when families have come before parliamentary committees to talk about the impact on them and most particularly on young people. The media certainly has a very large role to play in this process, and there have been various media reports about what is happening, particularly with young people and drinking. I think we need to be particularly aware that more people need to be involved in the process of considering our response to this.

I am very disappointed that there is not bipartisan support for this one element of our approach to binge drinking. It would be a great message for the community if we could work cooperatively on this issue. We can continue to argue about figures and we can produce coloured pictures and graphs, of which there are many, to our heart’s content. But the most important thing must be what we as a government will do within our community to develop an effective strategy to recognise and respond to the horror of drinking in our community.

Senator WILLIAMS (New South Wales)
(1.19 pm)—I rise to speak on the Customs Tariff Amendment (2009 Measures No. 1) Bill 2009 and Excise Tariff Amendment (2009 Measures No. 1) Bill 2009. I often say to my children: ‘I didn’t just drop into this world at 50 years old; I was actually born as a baby and grew up.’ I lived in a country town where, as with most country towns, going to the local pub and having a beer, especially on a Friday night, was a common occurrence. Unfortunately, I have seen a change in behaviour, especially amongst young people, over many years where, instead of beer, spirits and much stronger drinks are being consumed. I see these habits as a danger, but today I question what real effect this alcopops tax is going to have.

One thing is for sure: when young people in particular are mixing their drinks themselves out of bottles of spirits and soft drink instead of buying cans of mixed drink, the elements of danger are far greater. I say that because a can of, say, Bundy and cola has a constant alcohol level of around five per cent. But, when young people—and often older people, of course—instead of buying a canned drink that has a constant alcohol
level, buy a bottle of, let’s say, Bundaberg Rum and a bottle of Coke and mix their drinks themselves, here is the problem. You can imagine three or four young fellows sitting around in the car shed on a Friday night in some country town, as I know my son does at times, with one bottle of rum and one bottle of Coke. The first drink might contain half an inch of rum, the second might contain an inch and the third might contain an inch and a half. As they have more drinks it becomes, ‘Don’t worry about the Coke, just put more rum in.’ That is the problem with this legislation—it fails to stop binge drinking and is actually making the situation worse. Instead of consuming an alcoholic drink with a constant alcohol level, people are mixing their own.

When the government first proposed this tax, they expected about a $3.1 billion tax grab over four years. That, of course, has been revised to some $1.6 billion. I have here a graph which was part of the dissenting report by the coalition after the Senate inquiry into this. The mid-year economic forecast clearly shows that, even on Treasury figures, the increase in sales of alcopops will be around 7.8 per cent for the years 2009-10, 2010-11 and 2011-12. Surely that emphasises the fact that the 70 per cent increase in this tax will not have the desired effect.

I would like to quote some publicans I have spoken to recently. I spoke to an Inverell publican and asked the question: has the increase in tax on alcopops reduced binge drinking? This was his reply: ‘It has not had one effect on binge drinking. Alcopop sales may be down slightly, but people are now turning to buying spirits off the shelf and mixing the drinks themselves.’ He made the point, just as I have been saying: ‘With alcopops, at least people were restricted to alcohol content per drink, but now they buy a bottle of spirits off the shelf and mix it with soft drinks or buy a cask of wine, and there is no restriction on how much alcohol they pour in each drink.’ He has noticed people turning up to beat his hotel’s curfew at 10 o’clock at night a lot more affected by alcohol than previously when the increase in tax was not on alcopops. What he is saying is that people are drinking stronger mixed drinks at home and then going to the pub. I understand why people go to hotels, especially on Friday or Saturday nights after a week’s work, and especially in country towns where there is not a lot of entertainment and perhaps not a lot to do. The local pub is a meeting place where people socialise, I must admit I frequented the pub myself quite often in my younger days. It is a gathering place, but now people are showing up there a lot more intoxicated than previ-
ously—as I said, because they are drinking at home and mixing their own drinks.

A Glen Innes publican—no names mentioned—said sales of alcopops have slowed right down, but people are now buying spirits and similar off-the-shelf drinks and mixing them, just as I have been saying. The publican’s words to my office were: ‘The alcopops tax is not stopping binge drinking and they are kidding themselves if they think it is.’ Alcohol Education and Rehabilitation Foundation Director Ian Webster is quoted on 10 March admitting he was yet to see any evidence that clearly showed that the higher tax on alcopops had caused a decline in binge drinking. He said on the same day that he had not seen any evidence which had found a decline in alcohol problems in the community since it was introduced. The Australian Hotels Association has produced figures which prove there is no significant increase in per capita alcohol consumption to justify this tax increase. Current Australian per adult alcohol consumption has been steady for the last 10 years and is below the levels recorded in the seventies and eighties.

The Independent Distillers say the alcopops tax has not and will not work as it has pushed drinkers to stronger forms of alcohol associated with risky drinking. Risky drinking—that is the point I make. When they mix their own, they have a couple, it starts to take effect and then they mix them stronger. Here is a problem in itself. The Independent Distillers say the excise increase has moved drinkers from relatively low-strength RTDs, with an average alcohol content of five per cent, to drinks of between two and seven times that alcohol content. The Australian Institute of Health and Welfare’s 2007 National Drug Strategy Household Survey clearly showed that, in every age group for both men and women, those who were categorised as risky or high-risk drinkers chose beer, wine or spirits, not alcopops, as the drink of choice, yet the government is ignoring those drinks and taxing alcopops.

There is an interesting comment from a young lady who spoke to my office today. Many of her friends still buy alcopops, even though they are more expensive. She personally now buys the rum specials off the shelf and mixes them herself because it is the cheapest way to go. The question was put to her: has it stopped binge drinking? Not amongst her circle of friends. She said, ‘They are not drinking any less. In fact, they tend to get drunk more quickly because they are mixing their own.’ This is the point I make in this whole presentation: the 70 per cent increase in tax on RTDs may have, and probably has, reduced the consumption of those drinks, but it has led us to a situation where people are buying their drinks and mixing their own. As one company said to me, ‘When they buy a can of Bundy and cola they are looking at five per cent alcohol. When they buy a bottle of rum, a lot of times they only buy one bottle of Coke, but to mix that drink you need five litres of Coke to one bottle of rum to keep the same strength as in the can.’ This is a problem in itself.

Unfortunately we have a situation where many people drink too much. How do we solve the problem? Awareness and education—bringing it to people’s attention that if they are going to fill their brain with alcohol they will suffer the consequences. Just putting this tax on the ready-to-drinks is not having the desired effect the government sought, or was it simply a tax grab? That is the question I am asking. The net effect is not there. As I said, we see far too many people who have destroyed their lives with alcohol through addiction—and not only alcohol but many other drugs—but the situation is simple: if they do not want to buy the mixed drinks they will buy the bottles and mix the drinks themselves, and I think that is
far more dangerous than the previous situation.

At that, I just say that the tax is not working. The tax has been gathered and put aside, and that money should be used for education, especially in our schools. We now hear so often of the 15- and 16-year-olds having parties. Just look at their situation. I know they are not allowed to; I know it is illegal for anyone under the age of 18 to drink alcohol. But the fact is that they do get alcohol and they do take it to their parties, wherever they hold them. If they are buying bottles of spirits and soft drink and mixing them themselves, that is far more dangerous. We know that alcohol is a dangerous drug. We know what happens when youngsters who have never had alcohol before in their life go to a party and drink—they flake out, they get sick and they get into all sorts of trouble. I even saw a situation where a doctor was called to basically keep a young lady alive.

It is a tragic situation, but the tax increase of 70 per cent specifically on ready-to-drink beverages is not going to make one ounce of difference. It has been proven in the figures. I admit that sales of those canned and bottled drinks are down, but sales of spirits have risen markedly. This problem needs to be addressed through education, through going to our schools and warning the youngsters: if you fill yourself with grog, you are going to have trouble for the rest of your life. The addiction is real; the addiction is frightening. I oppose this extra tax grab because it is not having the desired effect.

Senator FIELDING (Victoria—Leader of the Family First Party) (1.31 pm)—Australia is at a crossroads and we as a parliament must make a decision: do we support the government’s attempts to hide behind a blatant tax grab with this Customs Tariff Amendment (2009 Measures No. 1) Bill 2009 and related bill? We all know the alcopops tax is just a revenue raiser. Some believe it goes a small way to changing the binge-drinking habits of Australians, but does it do enough? Back in September 2007 Family First introduced a bill called the Alcohol Toll Reduction Bill. It was quite clear, quite specific, in its three-pronged approach. One part was to do with having health warning labels on all alcohol products. The second part was to look at advertising restrictions. The third part was to look at getting alcohol ads out of industry hands and into the hands of a regulatory body. Those three things would do more than the alcopops tax.

In regard to having health warning labels on alcohol products, it would be such a simple thing to do. The government should stand up to the alcohol giants and enforce responsible drinking messages on alcohol products—all of them—through alcohol labels. Secondly, they should stand up to the alcohol giants and restrict alcohol advertising to late at night. There is a crazy exemption that allows alcohol ads to appear at any time of the day because of sports programming. There is already a regulation in place that says ads for alcohol should appear late at night, but it is blatantly disregarded for sports programming. Thirdly, the government should get the alcohol ads out of the hands of the industry and into the hands of a regulatory body to make sure we do not tie things like being successful in sport, being successful in life and being successful in relationships to alcohol.

The key thing is: do we want to make the tough decisions and expect more from our government in its efforts to tackle this terrible problem of binge drinking? I imagine all of us in this chamber know someone who has struggled with a drinking problem, who has found themselves in the grip of a problem that rules their life—a problem that often leaves their family devastated and unable to cope with the fallout. We have all read the
reports on domestic violence and street violence. We all know the terrible consequences that alcohol bingeing has on our families and especially on our children. Today we have an opportunity to say that we want more than just tax on one product to address this growing problem.

In fact, we demand more. We demand it for those children who huddle frightened at night in their homes as an adult with a gutful of alcohol rages. We demand it for those black and blue, bruised women who turn to strangers at refuge centres for support and solace after a loved one has turned them into a punching bag. We demand it for those young men and women enjoying a night out who end up in the back of an ambulance after becoming the target of a drunken thug on our streets. We demand it for all of us in the community who fear the uncertainty of our streets, where a simple look or an accidental brush against a stranger can invoke an assault.

Family First acknowledge that the Rudd government has announced it will spend some money from the revenue raised by the alcopops tax on health measures. But we are disappointed that the health measures announced last week do little to tackle the epidemic of binge drinking. Let us have a look at them: healthy eating programs for children, bike paths and breastfeeding programs. All are worthy, but they are nothing to do with alcohol abuse.

Australia’s alcohol toll is going to be a hard problem to fix. It is going to take a long time and require an enormous amount of work and commitment to change the cultural mindset that exists in Australia about alcohol. We need to change the belief that the only way to enjoy yourself and have a good time out is to get blind drunk. We need to create a culture where it is no longer cool to egg on your mates to drink until they are stupid, because someone with a drinking problem is not funny. We need to create a culture where it is no longer okay to harass women, to get into fights, to vomit in the street and to damage property because ‘I was drunk and I didn’t know what I was doing’.

Victoria’s new chief commissioner, Simon Overland, said on his appointment to the role that the biggest drug and social problem facing Victoria is alcohol abuse. He said:

It’s an enormous driver of the road toll, it’s a factor in family violence, it’s a factor in sexual assault, so alcohol is the most problematic drug in our community.

Like Chief Commissioner Overland, I am not a wowser and I enjoy a drink responsibly. But this tax does nothing to help those who do not drink responsibly, and that is why this government must do more. I applaud the comments by Chief Commissioner Overland that public drunkenness must become as hated by the community as much as drink driving is today.

We also know there is a big link between alcohol advertising and sport. Alcohol companies spend over $40 million a year on advertising during sports programs, and it is not because they like to watch sport. It is because, as Fosters spokesman Troy Hay said, ‘Sport is popular and it’s a way of us getting our brands in front of people.’ All of us here understand that business is business, but this parliament many years ago made a decision about restricting advertising of alcohol on television to programs after 8.30 pm. That decision was taken because others before us who came here to determine laws for Australia realised that unrestricted advertising of alcohol on television was causing harm. They understood that unrestricted advertising of alcohol was targeted at vulnerable teenagers and children and that restrictions should apply. But, unfortunately, a life-line was given to alcohol companies with a
loophole allowing alcohol advertising to be broadcast during sporting programs. This loophole allows ads promoting alcohol to be shown on Australian television at any time of the day, so long as it is during a sporting program. Research shows that one in three Australian kids under the age of 12 has seen these ads. Research shows that 72 per cent of Australians want alcohol advertising restricted until after 9.30 pm. That is almost three-quarters of the Australian population who want these ads stopped. Why is the government not listening to their demands? The government refuses to stand up to the alcohol giants and trots out the tired argument that sporting programs would not survive without the dollars pumped into them by the alcohol companies. That is the same old argument that was used decades ago when the push to get tobacco advertising off our screens began. The argument was that without the tobacco dollar sport would crumble. It clearly has not, and it will not if alcohol ads are banned.

Alcohol companies spend $40 million on alcohol advertising, but ordinary Australians have to fork out $15.3 billion to clean up the mess that binge drinking and alcohol abuse create in Australia. Those who are pushing for this tax to go through can spin it any way they like, but the facts are that alcohol related admissions to Victorian hospital emergency rooms have risen dramatically in the last decade. They have risen five per cent for males but, more disturbingly, they have jumped 10 per cent for women. Alcohol causes 4,300 deaths each year. More than half a million abuse cases are directly related to alcohol. Alcohol factors in one in five road deaths. And alcohol accounts for 40 per cent of police work in Victoria.

As I said before, Australia’s alcohol toll is not an easy problem to fix. Research shows that young people care about their friends and are often concerned about their drinking habits, but they do not know how to help them, how to raise difficult topics with them. Health warning labels on alcohol products would open the door to those discussions. Health warning labels give people the information that the choices they are making when it comes to drinking alcohol should be thoroughly considered because drinking too much has consequences. We are not talking about horrific, graphic labels; we are talking about the first step on the long road to changing the mindset of binge drinking within our society.

I think it is time we did so much more to help people struggling with this problem and to give hope to those families and communities dealing with the terrible fallout from binge drinking and alcohol abuse. This government must take real steps to change the culture. It must put health warnings on alcohol products with effective key messages warning of the damage excessive alcohol consumption can cause. It must do the hard yards and shut down the loophole that allows alcohol advertising on television during sports programming. It must stand up to the alcohol industry and govern for those 72 per cent of Australians who want these ads gone from sporting programs.

Today we have an opportunity in this chamber to improve Australia beyond measure. I urge those in this chamber to say that no longer will our society be tarnished by a culture of binge drinking and no longer will getting blind drunk be used as an excuse for bad behaviour. We must listen to those we answer to, the men and women of Australia, and act to create a better society for our children, a culture where alcohol fuelled violence and abuse can no longer threaten our communities.

Senator BILYK (Tasmania) (1.43 pm)—The young people of Australia are the future of Australia. We as a government need to
ensure that our future is looked after. We need to make sure that our young people have what it takes to keep this nation functioning effectively. That is why the Rudd government is acting on alcopops with the Customs Tariff Amendment (2009 Measures No. 1) Bill 2009 and related bill: because we believe that, when abused, alcopops can cause considerable destruction to both individuals and society as a whole. This destruction occurs partly because alcopops are similar in taste to cordials and soft drinks, and it is possible to drink them without realising how much alcohol you have drunk—it is one of the sales pitches with regard to alcopops.

Our young people are not always equipped with the skills to make the best decision and alcopops do affect their judgement, as does any alcohol if you are not careful how much you consume. We need to help our young people to make the right decisions for their future as individuals but also for the nation as a whole. The statistics on young drinkers are nothing short of alarming. Binge drinking is a serious problem, and this is a concern not only for the Rudd government but also for police and health professionals. Parents of teenagers are also rightly concerned and want action from the government. The Rudd government is listening to the Australian people. After all, this is what the government is supposed to do. Binge drinking is a community wide problem that requires a community wide response. It needs to be addressed and it needs to be addressed now.

Alcohol is the second largest contributor to drug related harm in this country, with tobacco in front. Alcohol causes approximately 3,000 deaths each year in Australia. Cancer, alcoholic liver cirrhosis and road trauma are the main problems that arise from alcohol consumption. Younger people are more likely to succumb to road trauma or intoxication, while the older age group usually die as a result of long-term alcohol abuse. It is a fact that in the 25 to 34 year age group alcohol is the cause of more hospitalisations and deaths than all illicit drugs combined and certainly causes more hospitalisations and deaths than tobacco.

The other problem is that the distillers are taking advantage of young people, targeting these drinks right at them. They are in fact targeting young people with vigour. In the Senate inquiry last week I saw examples of advertisements, of the pretty colours of the drinks, and of Facebook and other websites that are aimed directly at young people, encouraging young people to drink these products. To put it simply, the distillers care more about their profits and little about the health and wellbeing of young people. We all understand that businesses must be profitable, but it cannot and should not be at the expense of health. This cannot be allowed to continue. The distillers have already admitted that their sales have grown by 250 per cent since the then Howard government introduced the tax break. The former, Howard government gave the alcopops industry tax relief in 2000, and since then the problems associated with young people drinking have increased dramatically.

The Liberals cannot agree on whether alcohol taxes need reform or not. Mr Turnbull on the Sunday program with Laurie Oakes on 18 May 2008 said:

... but is the whole system of taxing alcohol full of anomalies and inconsistencies and contradictions? Yes, it is you’re quite right … I think what you need to fix it right across the board … we’ve got to look at where the inconsistency are, how that system can become more efficient and have fewer anomalies of the kind we are discussing.

But Mr Dutton, in the Manly Daily on 25 November 2006, said:

Moves by Manly Council to change alcohol taxation and warning labels on bottles have been unsuccessful. The council wrote to Health Minister
Tony Abbott, Prime Minister John Howard and Minister for Revenue Peter Dutton calling for the changes.

A letter from Mr Dutton’s office said the Federal Government was satisfied with the current system of taxation on alcohol.

Mr Turnbull, in an address to the National Press Club on 22 September 2008, running up the white flag on doing anything about binge drinking, said:

One should never underestimate the enterprising ingenuity of the Australian drinker.

So that makes it okay, does it? Tony Abbott said about binge drinking on 3AW on 17 June 2008:

Trying to say that binge-drinking is happening nearly all the time, in ways which are a deadly threat to the youth and even to the adults of this country, is a beat up, not to put too fine a point on it ...

Nine years after the tax break was given, the current opposition do not realise the consequence of their decisions. Every week one in 10 children between the ages of 12 and 17 is engaging in binge drinking or drinking with high risk. Nearly 20,000 girls between 12 and 15 admit to drinking daily or at least weekly. This is horrific given that alcohol consumption by those under 18 is illegal in this country. Even the numbers of women between 18 and 24 being admitted to hospital as a result of alcohol consumption has increased since 2000. The increase has been dramatic—so dramatic that it has in fact doubled. It shows that alcohol related hospital admissions are an unnecessary burden on our hospitals. The Minister for Health and Ageing, Nicola Roxon, has released figures showing that there are approximately 670,000 preventable hospital admissions a year.

The harm caused by alcohol consumption may be as simple as falling over and spraining an ankle or it may result in lifelong problems or even death. Some of the harm caused is accidental, but much of it is also caused through violence as a result of people drinking too much and losing the ability to make good decisions. The Rudd government is working hard to reduce alcohol related violence. The physical harm caused is not the only harm that results from alcohol consumption. There is also a huge cost to the economy. In 2004-05 it was estimated that approximately $15.3 billion was the cost of dangerous alcohol consumption in Australia. It affects not only the health of individuals but also the productivity of the workplace.

Police are worried about the effect of alcohol on the community. In 2008 the New South Wales Police Commissioner, Andrew Scipione, estimated that 70 per cent of police matters while policing the streets involved alcohol. This is indeed a worrying statistic. In my own state of Tasmania 19 per cent of road deaths in 2006 were alcohol related. Research indicates that an increase in price plays a vital role in attacking the problem that is binge drinking. Higher prices make it more difficult for young people to afford the alcohol, and this in turn brings about a reduction in the amount they drink.

Australian tax office statistics show that in the nine months following the introduction of the alcopops tax, as it is commonly referred to, the sales of alcopops decreased considerably. They had decreased by 35 per cent when compared to the same period in the year prior to the introduction of the tax. This is a massive decrease in such a short time frame. Not only is this result wonderful but it exceeded the government’s expectations. It was hoped that the tax would stop the increase in sales, and modelling predicted that this would be achieved. The sales of spirits as a whole decreased by nearly eight per cent, and there has been only a minimal increase in sales of full-strength spirits. This is a reduction of around 124 million standard drinks overall, according to ACNielsen fig-

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ures. This goes a long way to silencing our critics, who claimed that the tax would see young people turn to other drinks.

Numerous health organisations have supported the government’s tax on alcopops. They include the Australian Drug Foundation, the Australian National Council on Drugs, the Alcohol and other Drugs Council of Australia, the Public Health Association of Australia as well as the AMA. Dr Capolina-gua, from the Australian Medical Association, last week told the Senate committee:

The AMA would like to inform the committee that we believe it would be a retrograde step to remove the tax on alcopops. We support the alcopops tax in the context of broader measures to address harmful drinking, particularly among young people.

This government is not foolish, unlike the former, Howard government, which ignored reports it had commissioned despite those reports indicating that action was needed. But the alcopops tax is not all the government has done to reduce binge drinking. It is part of a broader process, and the government introduced a national binge-drinking strategy in early March 2008.

The funding for this strategy includes $53.5 million in order to combat the binge-drinking culture among our young people. There is $14.4 million being used to target community groups and local sporting clubs. This is being done because we know we need local solutions to local problems. The amount of $19.1 million has been allocated to early intervention programs to encourage our young people to take responsibility for their own actions. This funding is designed to target those under 18 who have already been involved in an incident involving alcohol, in order to prevent more problems arising.

There has been $20 million put into an advertising campaign to educate young people about the dangers of drinking and also the costs involved with drinking. This campaign is brutally honest, but it needs to be in order to get the message across. It is focusing on the short-term problems caused by alcohol intoxication and is encouraging young people to make better decisions. It is also targeting parents so that they are better equipped to educate their children and so that they lead by example with their own drinking behaviour. To have parents talk to their children about the responsibilities that come with alcohol use is essential to give our young people the information needed to make the right decisions about their drinking habits. The Rudd government stands by that campaign and hopes that, by the end of the two-year campaign, it will have made a difference to young people and the way they drink. This in turn will hopefully have decreased the damage caused by alcohol.

The funding from the alcopops tax is being used to engage in preventive health measures. On 11 March 2009, Minister Roxon announced that $872 billion is being spent on preventative health measures. The Australian government is working with state and territory governments through COAG to improve preventative health measures, and alcohol is one of the biggest issues being tackled.

The Preventative Health Taskforce is well on the way to developing a comprehensive strategy, and alcohol is one of its priorities. When the alcopops tax was introduced Minister Roxon stated, ‘This change will see the single biggest investment ever by a Commonwealth government into preventative health measures,’ and we have followed through on this to the tune of $872 billion. No-one can argue that the Rudd government is not committed to preventative health measures.
The young people of Australia are our future and we need to protect them to ensure a healthy Australia for years to come. There is a considerable problem with binge drinking among many of Australia’s young people, both males and females. We as the government need to attack this problem with everything we have in order to keep our young people—and, for that matter, the rest of the population—safe. The alcopops tax is one way to help combat the problem of binge drinking and is one of many strategies the Rudd government is putting into place.

The tax from the alcopops is being used to educate, to prevent health problems that arise as a result of alcohol consumption and to fund other preventative health measures. The Rudd government is committed to the health of Australians and will do everything possible to make sure Australians have the support needed to help them improve their health. The fewer alcohol related problems we have in society, the more productive and safe Australia will be. This is what the Rudd government wants for Australia and it is what the Australian people want for their nation. It is what the Australian people demand and deserve. I commend the bills to the Senate.

Senator EGGLESTON (Western Australia) (1.57 pm)—In the very short time that I have to begin this speech on the Customs Tariff Amendment (2009 Measures No. 1) Bill 2009 and related bill, I say that this alcopops tax is no more than a revenue raising gesture, and it certainly does not deal with the real, underlying problem of the impact of excessive alcohol consumption in our community or the need to reform the entire system under which alcohol is taxed.

Rather than selectively increasing tax on one form of alcoholic drink, the so-called alcopops, it is time that alcoholic drinks were taxed on a volumetric basis—that is, by a standard tax on the percentage of alcohol in any drink. And that is a view shared by a wide variety of professional and community organisations who are concerned about the impact of alcoholism in our community, including the Australian Medical Association; the Australian Council of Social Service; the Productivity Commission; the National Centre for Research into Prevention of Drug Abuse; the Salvation Army, which has always had a great concern about the impact of alcoholism in our community; and the Alcohol Advisory Council of WA, among others. These bodies all have the view that rather than having different levels of tax on the alcohol in various drinks we should go to a very simple volumetric system so that if there is more alcohol in a drink it will cost you more.

The fact has been demonstrated by Curtin University, in some pivotal research done several years ago in the Northern Territory, that cost is a deterrent to excessive alcohol consumption. In fact, under our present system, the tax on a standard glass of wine, with 12 per cent alcohol, is six times less than the tax on a glass of low-alcohol beer. That simply underlines the fact that there is a need to reform the taxation system for alcoholic drinks and until that is done we are not in any way seriously going to deal with the problems that alcoholism has caused in our community.

Debate interrupted.

QUESTIONS WITHOUT NOTICE
Migration

Senator FIERRAVANTI-WELLS (2.00 pm)—My question is to the Leader of the Government in the Senate, Minister Evans. The 2008 budget announced an extra 31,000 skilled migrants as part of the overall record high of 133,500 places in the 2008-09 migration program. Today the government announced a 14 per cent cut, of 18,500 places. That still leaves, Minister, a net increase of
12,500 skilled migration places in 2008-09, an overall increase of 7,000 skilled places from 2007-08. Don’t these figures just make a mockery of today’s announcement?

Senator CHRIS EVANS—I thank the senator for her question; it saves one of our people asking me the very same question. The government set the 2008-09 migration program at a time when the Australian economy was booming and there were extensive skills shortages around the country. Business was crying out for skills and labour. Clearly, the global financial crisis has seen Australia’s economic circumstances change dramatically. Even the opposition must understand that. What we have done is adjust the migration program so it is responsive to the changes in the economic circumstances. So we have decided to cap this year’s program at 115,000 persons. It is a cut of 18,500 places and represents a 14 per cent cut to the original level, but that is very much as a result of those changed economic circumstances. I made some changes in December last year to make sure that we were only bringing in the people who were on the critical skills list or who were employer sponsored. These changes go further, but fundamentally they do the same thing—that is, only people who have a job will be coming into the country.

Under the previous policies, which the previous government administered, people were self-selecting, so we brought in a lot of hairdressers and a lot of cooks. What we are bringing in under the program now are people with high skills who are going straight to a job. It is the linkage between the job and the person that is the key. These changes I think will be welcomed. They will ensure that Australians are not competing with persons coming into the country for the same job. They will ensure that we have a better targeted program and I think they will ensure that we protect Australian jobs. Migration is important to this country, and will continue to be so, but these changes are prudent and timely and reflect the changed economic circumstances.

Senator FIERRAVANTI-WELLS—Mr President, I ask a supplementary question. Why has the government decided to cut Australia’s migration targets while at the same time failing in its duty to address the recent increase in illegal immigration?

Senator CHRIS EVANS—I think I made clear why we have changed the permanent migration program: we want to stay responsive to the economy. It is interesting that the opposition are concerned about unlawful boat arrivals, given that I have heard nothing from them as the government has changed its policies in the last year to reflect a more humane treatment of asylum seekers. I do remind the Senate that the figures for arrivals for 2008 are exactly the same as for 2007 under the last year of the Howard government. I think there was an increase of 14 people over the year. What we have seen is a resurgence in people seeking asylum, particularly those fleeing Afghanistan and, I suspect, increasingly Sri Lanka, and those pressures will continue. But Australia maintains very strong border security measures—we retain the patrols; we retain the excision arrangements. We are committed to very strong border security. (Time expired)

Senator FIERRAVANTI-WELLS—Mr President, I ask a further supplementary question. How can the government claim to be protecting jobs by cutting immigration when at the same time the Rudd government is exporting jobs overseas with its proposed flawed and bureaucratic emissions trading scheme?

Senator CHRIS EVANS—We are very much committed to protecting Australian jobs by growing the economy. What we have
done in recent times is ensure, as much as we can, support for the Australian economy—

Opposition senators interjecting—

The PRESIDENT—Order! Resume your seat, Senator Evans. I will ask you to resume when there is silence. Senator Evans.

Senator CHRIS EVANS—The support programs the government has put in place have been designed to try and support Australian jobs. They have been welcomed as a proper economic response to the problems the Australian economy faces. We are absolutely committed to Australian jobs. One of the things that will come from a proper measured response to the threat of carbon pollution is that new jobs will be created in new industries. What we are doing is transitioning to a cleaner economy. The costs of inaction are much greater than the costs of action. We will continue to protect Australian jobs by creating new jobs and ensuring those existing in the economy are preserved. We are committed to retaining Australian jobs. (Time expired)

Economy

Senator HUTCHINS (2.05 pm)—My question is to the Minister representing the Treasurer, Senator Conroy. Can the minister update the Senate on international cooperation to address the global economic downturn? Will the minister outline the role Australia played in the recent G20 discussions?

Senator CONROY—I thank Senator Hutchins for the question. We are facing the most serious global economic downturn since the Great Depression. The Rudd government understands this is a global problem, so we must do all we can internationally to contribute to a global solution. Last weekend G20 finance ministers met in London in preparation for the G20 leaders meeting early next month. Importantly, G20 finance ministers and central bank governors pledged to take whatever action is necessary until growth is restored and stated that they are committed to deliver the scale of sustained effort necessary to restore growth.

They also endorsed a framework for dealing with the toxic assets that infect so many banks in the US and Europe. Toxic assets on the balance sheets of large international banks are poisoning global credit flows and global growth. This framework has been put forward by Prime Minister Rudd and also the British government and we very much welcome its adoption by the international community. In addition, ministers agreed to substantial reform of the IMF to ensure its effectiveness to respond to this crisis and help avoid crises in the future. I am pleased to say that Australia was co-chair of the G20 working group on IMF reform. The Financial Stability Forum has been expanded to all G20 members with Australia now holding two seats in this forum. Australia will also become a member of the Basel Committee on Banking Supervision, the primary global financial system rule-setting body. (Time expired)

Senator HUTCHINS—Mr President, I ask a supplementary question. Can the minister advise whether there is international recognition of the need for fiscal stimulus? Can the minister outline additional measures that the government is taking to protect jobs given the global economic downturn?

Senator CONROY—The IMF, global leaders, industry groups and economists the world over all recognise the need for strong and decisive action to support growth. On 6 March, the IMF stated:

… given the depth of the crisis, avoiding or postponing action is not a viable option …

On 3 March, the Federal Reserve chairman, Ben Bernanke, stated that ‘aggressive action’ was required to avoid a prolonged episode of stagnation. The government has acted decisively to support economic activity through
the $10.4 billion Economic Security Strategy last October and the $42 billion Nation Building and Jobs Plan announced last month. Our action has been endorsed by the IMF, central banks, business groups and business economists. Most recently the US President, Barack Obama, has emphasised just how important it is. *(Time expired)*

**Senator HUTCHINS**—Mr President, I ask a further supplementary question: is the minister aware of claims that the government’s industrial relations reforms should not be pursued given the global economic downturn? Can the minister explain how the government’s Fair Work legislation will improve the job security of Australian workers?

**Senator CONROY**—The government’s new workplace relations system has been designed to serve Australia well in the good as well as the difficult economic times. The Fair Work Bill has been designed as a stable, simple, fair, flexible and productive workplace relations system for business. Working Australians do not want a return to Work Choices and they certainly do not want a return to Work Choices in the middle of a global recession. Work Choices allowed basic pay and conditions to be stripped away and meant that an employee could be sacked for no reason and without any entitlement to redundancy. That is what those opposite deliver and hanker after and are still championing to this day. This is not the kind of workplace relations system that would give Australians confidence in these difficult global times. *(Time expired)*

**Queensland Oil Spill**

**Senator IAN MACDONALD** (2.11 pm)—My question is also to Senator Conroy in his capacity representing the Minister for Infrastructure, Transport, Regional Development and Local Government. What involvement has the Australian Maritime Safety Authority had in response to the massive oil and ammonium nitrate spill caused by the *Pacific Adventurer* in waters off Moreton Bay in Queensland, which will have a catastrophic impact on Queensland’s environment, wildlife, fishing and tourism industries?

**Senator CONROY**—Thank you, Senator Macdonald, for that question. This is an issue that is of substantial concern to all Australians. It is obviously an issue of particular concern to the people of Queensland. The Hong Kong China registered general cargo ship *Pacific Adventurer* departed Newcastle for Brisbane on Tuesday, 10 March with 31 containers. At 3.15 on Wednesday, 11 March, the Australian Maritime Safety Authority received a report from the Brisbane Harbour Council that the ship reported that it had lost the 31 containers overboard in rough seas eight nautical miles east of Moreton Island.

**Senator Abetz**—They have conceded that? What did they actually do?

**Senator CONROY**—Yes. The Australian Maritime Safety Authority issued a broadcast alert for shipping in the area. The national plan for combating oil pollution was activated on Wednesday and its oil spill response resources were made available to the Queensland authorities. The plan is a cooperative arrangement between the states and the Commonwealth to work together to pool expertise and resources in times of oil pollution.

Under the terms of the national plan, prime responsibility for the foreshore clean-up rests with Maritime Safety Queensland with assistance from the other jurisdictions. AMSA is the relevant Commonwealth agency. Teams of trained response personnel and equipment from around Australia were sent to Queensland to assist. The *Pacific Adventurer* then proceeded to anchorage off the port of Brisbane where an assessment of the ship was conducted by an AMSA surveyor.
The ship’s crew advised that 20 to 30 tonnes of heavy fuel were lost. AMSA arranged for aerial surveillance of the area where the loss of containers and oil spill occurred. No containers were observed. 

**Senator IAN MACDONALD**—Mr President, I ask a supplementary question. I thank the minister for that information, but in view of the huge delay that the Queensland government was engaged in in getting organised to address this spill, I ask the minister: when did the Queensland government actually contact the federal government seeking activation of the National Marine Oil Spill Contingency Plan? In view of that delay and in view of the minister’s answer to my first question, when was the actual offer made to Queensland for material to be available? When was the offer of support made? Mr President, as you would know as a Queenslander, it has taken so long for the Queensland government to get involved and I am interested in whether the minister can tell me some times—and I am pleased that the advisers have handed him some notes—that might be able to inform me when the Queensland government actually took the matter seriously.

**Senator CONROY**—I utterly reject the suggestions in that diatribe from Senator Macdonald. I will continue to provide information, though, on the Commonwealth and Queensland government’s efforts in this area. As I was saying, no containers were observed. However, an oil slick three nautical miles long and 500 metres wide was sighted approximately four nautical miles north of Moreton Island. The weather conditions on Wednesday consisted of gale force winds and heavy seas as a result of a tropical cyclone. In such conditions, it was not feasible to use oil spill dispersants or oil recovery equipment to prevent the oil from coming onshore.

**Senator Parry**—Mr President, on a point of order that goes directly to relevance: the minister was asked about time of notification and requests for assistance. He has not gone anywhere near the question and he has not got long to answer.

**Senator Ludwig**—Mr President, on the point of order: one of the difficulties we are always confronted with is the point of order which goes to only part of the question.

**Opposition senators interjecting**—

**Senator Ludwig**—The difficulty in this—and please let me have my opportunity to address the point of order—is that the question first of all made an assertion, which may or may not have been part of the question because it depends on whether the senator provided an inflection at the end where he said ‘in view of the huge delay’. They were the words he started with—completely wrong but an assertion nonetheless, unless of course he was asking a question as part of that assertion. Senator Conroy was responding not only to the substance of the question, which was to address when, but also in part to a huge assertion made at the beginning of the question. It is appropriate for a minister to address an assertion as well as the primary question if a senator is going to include assertions in the primary question. We have dealt with this before in question time. An assertion is not part of the question and should not be part of the question. There is no point of order.

**The PRESIDENT**—Order! There are nine seconds left, Senator Conroy, and I draw your attention to the question.

**Senator CONROY**—I am happy to take it on notice and get you those exact details, but let me deal with the rest of the question and the assertions that were being made. Oil dispersants can only be sprayed—(Time expired)
Senator IAN MACDONALD—Mr President, I ask a further supplementary question. It seems to me that Senator Conroy is either part of the stuff-up or part of the cover-up in this matter. Specifically, has the Maritime Emergency Response Commander or the maritime pollution controller exercised their powers of intervention in light of the slow response and underestimation of the size of the spill by the Queensland government?

Senator CONROY—Once again, I utterly reject the inane politicking being engaged in by Senator Macdonald in a pathetic attempt to try and win votes for his failing party in Queensland, and that is exactly how it should be seen. If I can go to the substance of the question, oil dispersants can only be sprayed by small single-engine, low-flying aircraft similar to those used on farms, flying only metres above the affected ocean.

Senator Ian Macdonald—Mr President, on a point of order on relevance: the question was specifically whether the Maritime Emergency Response Commander has exercised his intervention powers because of the slow response and underestimation by Queensland. That is the question. Has the Maritime Emergency Response Commander exercised his powers? I am interested in what Senator Conroy says, but it was not the question he was asked.

The PRESIDENT—Order! Thirty-one seconds have gone in the answering of this question and 29 seconds remain. Senator Conroy, you need to address the question.

Senator CONROY—I am dealing specifically with not just what Senator Macdonald himself described as the specific question but the general context in which—

Senator Brandis—Did it happen or didn’t it? You have to be directly relevant.

Senator CONROY—I am being directly relevant to the diatribe that was taking place.

Self-Funded Retirees

Senator POLLEY (2.20 pm)—My question is addressed to the Minister for Superannuation and Corporate Law, Senator Sherry. Is the minister aware of the issues being faced by self-funded retirees as a result of the global financial crisis? Is the minister also aware of what actions the government has taken to help the 950,000 self-funded retirees in our community?

Senator SHERRY—I thank Senator Polley, who has always taken a keen interest in issues that affect the retired community in my home state of Tasmania. The Rudd government is very keenly aware of the problems that have flowed as a consequence of the world financial and economic crisis for approximately 950,000 retirees. We have moved quickly to provide a range of relief, which I will touch on. Many superannuants have expressed concern about the depletion of their capital as a result of the volatile financial markets that have flowed from the global financial crisis. As I am sure most senators would be aware, Australian superannuation funds had a negative return of minus 19.6 in the last calendar year, and that translates into a sharp reduction in capital for Australia’s retirees in most circumstances. Retirees asked the government for help in the form of relief from what is known as the minimum draw down rules for account based pensions.

The Rudd government responded quickly and decisively. It announced on 18 February that minimum pension drawdown requirements would be halved for this financial
year. I can advise today that the executive council last Friday approved the regulations to enact these changes to the 2008-09 financial year. This means that superannuation funds can act on members’ instructions to suspend payments for the rest of this financial year. The measure responds to very real community concern. I have personally had hundreds of letters, emails and representations.

The change means that self-funded retirees will avoid having to sell further investment assets and realise losses in a depressed market. The temporary relief will also address the concern that the minimum drawdown requirement was set based on asset values as at 1 July 2008. Clearly, at that time equity values were higher. For those people who have already taken half the current minimum payment for 2008-09, the annual nature of the minimum payment rules means that a further payment—(Time expired)

Senator POLLEY—Mr President, I ask a supplementary question. Can the minister update the Senate on what other ways the Rudd government is assisting self-funded retirees at this difficult time?

Senator SHERRY—I should also say in respect to the minimum drawdown requirements that we will be closely monitoring the markets and we will make an announcement about arrangements for the 2009-10 financial year before the end of this financial year.

One further way we have taken action to assist is in relation to deeming rates. The government has cut deeming rates three times in the last five months. This means retirees will continue to be fairly assessed on what returns they are earning on their investments for entitlement to the age pension. Of these three reductions in deeming rates—November last year, 26 January this year and now for operation on 20 March 2009—two were outside the usual March and September reassessment periods. This demonstrates that the Rudd Labor government has again responded to reductions in returns from deposit-type accounts to ensure the pension means test remains fair. (Time expired)

Senator POLLEY—Mr President, I ask a further supplementary question. Can the minister advise of any additional benefits provided to self-funded retirees by the government as part of the Economic Security Strategy, the Nation Building and Jobs Plan and broader tax measures?

Senator SHERRY—The government extended lump-sum payments as part of its 2008 Economic Security Strategy to holders of the Commonwealth seniors health card as well as aged pensioners. Apparently the Liberal opposition now believes this was a waste of money to those who worked hard—many superannuants and pensioners in our community. Many self-funded retirees will also be eligible for the tax bonus under the Nation Building and Jobs Plan if they paid tax in the 2007-08 financial year and had a taxable income of $100,000 or less. Apparently the Liberal opposition believes this relief to many self-funded retirees is also a waste of time. The government also assists self-funded retirees through the tax system, in particular the senior Australian tax offset—SATO, as it is known—which, when combined with the low-income tax offset, ensures that the eligible single older Australian can have income of up to $28,867—(Time expired)

Water

Senator BIRMINGHAM (2.25 pm)—My question is to the Minister for Climate Change and Water, Senator Wong.

Senator Ian Macdonald—Oh, good luck!

Senator BIRMINGHAM—Thank you, Senator Macdonald. Does the decision of the South Australian Labor government to pursue High Court action against the Victorian
Labor government and possibly other state governments delay or place at risk the implementation of the Rudd Labor government’s Murray-Darling plan?

Senator WONG—The biggest threat to the implementation of reforms in the Murray-Darling Basin appears to Mr Springborg, who in the Queensland election has essentially put at risk the reforms and the agreement which was put in place by this government with the agreement of all state premiers. As a senator from South Australia, which is a state that has a strong interest in a whole-of-basin approach, I suggest to Senator Birmingham that perhaps he should get on the phone to Mr Springborg and tell him this is not an issue on which he should play petty politics. This is an issue where the national interest requires that the states work together and we look to a whole-of-basin approach for the first time in Australia’s history. That is the reality. The leader who has been the only one to suggest—

Senator Birmingham—Mr President, I raise a point of order on the matter of direct relevance under standing orders. The question was very specific about Mr Rann’s action—his decision to drag this water basin plan through the court system. It referred not to any state opposition leader’s actions but rather to the Labor Premier of South Australia. We are more than halfway through the answer and the minister has not deigned to mention the South Australian government’s actions even once.

The President—Senator Wong, there are 54 seconds left in which to address the question.

Senator WONG—I can understand why Senator Birmingham feels embarrassed because, of course, this is Mr Turnbull’s plan, supposedly, as well. He is essentially asking a question which invites the response, ‘Actually, it is the Liberal National Party in Queensland that is the only party prepared to talk about putting at risk the Murray-Darling agreement that was forged between the Prime Minister and the state premiers.’ I am aware of Mr Rann’s comments and I have made public comments about them. As I understand it, Mr Rann has indicated that he has asked a legal team to prepare a case. The Commonwealth’s position has been clear for some time. We believe it is in the best interests of the rivers and of irrigators for there to be an open water market, and we have been working to achieve that. That is an issue that has been discussed at COAG on a number of occasions. So the Commonwealth’s position in relation to the water market is clear. (Time expired)

Senator Birmingham—Mr President, I ask a supplementary question that goes to the matter of the water agreement itself. Has it in any way changed since Mr Rann so willingly and enthusiastically signed it and welcomed it last July and, if not, why is he choosing to pursue this court action now, and will the Commonwealth be taking a stand in this court action?

Senator WONG—In relation to the last issue, that is a hypothetical until any such action is taken. Senator Birmingham, I would refer you to my first answer, which outlined the fact that, as I understand the Premier’s indication, he wants a legal case prepared, but no such action to date has been taken. I again make the point that the South Australian government has not indicated any withdrawal of support for the agreement itself. And I would suggest to the senator from the good state of South Australia that those of us from that state do need to take a whole-of-basin approach to this issue. Many of the problems in the Murray-Darling Basin are in place because there has been a failure by past governments, including 12 years under those opposite, to take a whole-of-basin approach. It has been one where we simply looked only
at the issues from the perspective of one state. (Time expired)

Senator BIRMINGHAM—Mr President, I ask a further supplementary question. Given the minister has described Premier Rann’s much vaunted and much hyped legal action as ‘hypothetical’, what steps is the minister taking or has the minister taken to try to persuade the South Australian Labor government and the Victorian Labor government to reach an agreement that might be settled without the need for High Court action on these critical issues?

Senator WONG—I am surprised, if I may say, that Senator Birmingham, who is usually one of the more assiduous senators on that side, has not taken the time to consider these issues more closely. He would recall that we have had this issue on the COAG agenda. There is already a decision of COAG as to a timetable for consideration of the four per cent. If those opposite want to take a constructive approach to this, I would suggest they clarify their view on whether or not the opposition remain locked in behind the four per cent, or does that depend on where the senator opposite comes from?

Whaling

Senator BOB BROWN (2.31 pm)—My question is to the Minister representing the Minister for the Environment, Heritage and the Arts. I refer to a request I made under freedom of information for documents relating to the Oceania Viking’s trip to observe Japanese whaling during the summer before last and a request for the release of the tapes of the whaling. The government, in its refusal to release those tapes, said that the Japanese government had been upset by the release of a short amount of video and that the government did not want to upset the Japanese government by the release of a further video showing its harpooning, killing and flensing of whales in and outside Australian waters. How on earth could the government refrain from releasing video material of Japanese whaling because it might upset the whalers?

Senator WONG—Senator Brown, can I indicate that I will take the question but I believe the decision on the FOI request is in the Minister for Home Affairs’ portfolio, which I also represent, just for future clarification. I am advised that there was a freedom of information request in relation to footage taken last year.

Senator Bob Brown—Mr President, if I may, I just want to help the minister—

The PRESIDENT—No. Is it a point of order?

Senator Bob Brown—It is not in the Minister for Home Affairs’ portfolio; it is in the minister for the environment’s portfolio.

Senator WONG—The footage from the Customs and Border Protection Service and the application for freedom of information in relation to that footage, through you, Mr President to Senator Brown, is a matter within the Minister for Home Affairs’ portfolio because Customs is within the Home Affairs portfolio. That was the explanation I was giving. The actual decision not to release was made by Customs. In relation to that footage, I understand that media outlets have sought release of all footage from the Customs and Border Protection Service under freedom of information. It is the case that Customs has declined to release the footage. This is a decision consistent with previous government statements on this matter. The senator may recall that, in February 2008, the government did release limited footage because it was overwhelmingly in the public interest, but the advice the government heeded at the time was to restrict the amount released to protect any future legal action. I again reiterate that Australia’s position on the issue of commercial and so-called scientific
Japanese whaling is clear: the government remains absolutely opposed to it. We have taken unprecedented steps to see it end through a range of strategies, including high-level diplomatic engagement and advancing a comprehensive reform agenda through the International Whaling Commission. Obviously, freedom of information decisions can be reviewed by the agency involved, by the AAT or by the Ombudsman. I again confirm in relation to that refusal—(Time expired)

Senator BOB BROWN—Mr President, I ask a supplementary question. The response from the minister for the environment’s department includes this statement: The Japanese Government expressed through diplomatic channels its regret that a small number of whaling images were released … and requested that the Australian Government deal with the issue calmly so as not damage the bilateral relationship.

Therefore, the government decided it would obsequiously refuse to release the full film of the whaling. I ask the minister: who made that decision? Was it not the minister for the environment? Was the Prime Minister involved? And why did the minister for the environment take five months to relay this information to me after the decision was made?

Senator WONG—Through you, Mr President, I would take on notice the last part of Senator Brown’s question about the timeframe. I do not have any information on that. In relation to the decision, I reiterate the advice with which I have been provided, which is that the decision not to release the footage was a matter for Customs and is consistent with previous government statements on this matter. I also understand that the refusal was based on sections 33 and 37 of the Freedom of Information Act. Section 37 includes reference to information related to the conduct of an investigation and, under section 37(2)(b), prejudicing the effectiveness of lawful methods of investigation and detection. As I said, the advice I have been provided with is that the decision not to release the footage was a matter for Customs.

Senator BOB BROWN—Mr President, I ask a further supplementary question. It says explicitly, under ‘Reasons for the findings and decisions not to release that footage’ that the documents affected national security, defence and international relations, but nothing whatever to do with Customs. It goes on to say:

The further release of images or data would adversely affect the confidence Japan would have in our diplomatic efforts to achieve an end to scientific whaling. Such releases would also likely harm Australia’s interests in a range of areas where we cooperate with Japan.

Is this not an obsequious decision by the Rudd government to back down at the first bit of pressure from Japan because it simply did not like the bloody business of whaling and the pictures of it being released to the world public?

Senator WONG—I do not accept Senator Brown’s interpretation of the decision. As I have said, the decision not to release was a decision for Customs. I again say that the government did release footage in February 2008 because it was overwhelmingly in the public interest, on advice that the government heeded on that occasion to restrict the amount released to protect any future legal action. The Australian government’s position in relation to whaling remains absolutely clear. We remain opposed to it and since coming to government we have taken unprecedented steps on the diplomatic front and also through the International Whaling Commission to progress this issue and to demonstrate our opposition to commercial and so-called ‘scientific’ whaling.
DISTINGUISHED VISITORS

The PRESIDENT—Order! I draw the attention of honourable senators to the presence in the chamber of a parliamentary delegation led by Mr Sergey Mironov, Chairman of the Council of Federation of the Federal Assembly of the Russian Federation. On behalf of all senators, I wish you a warm welcome to Australia and, in particular, to the Senate. With the concurrence of honourable senators, I would ask the Chairman to take a seat on the floor of the Senate.

Honourable senators—Hear, hear!

QUESTIONS WITHOUT NOTICE

Workplace Relations

Senator FISHER (2.39 pm)—My question is to the Minister representing the Minister for Employment and Workplace Relations, Minister Ludwig. Will the minister guarantee that the Rudd Labor government’s award modernisation process, already underway, will not increase business costs and will not disadvantage employees?

Senator LUDWIG—I thank the senator for her question. It seems we are having dorotheis today. The commencement of modern awards from 1 July 2010 will achieve a very significant national reform, one which evaded the Howard government—despite its attempts. Modern awards will simplify and reduce more than 2,400 old state and federal awards and instruments. Modern awards will be easy to find and read and to apply in the workplace to provide a fair and modern award safety net for the future. I am aware—Senator Fisher is obviously aware of the same concerns and I ask her not to listen to the chattering classes—that there are ongoing concerns that wage costs may increase in the states which previously had a different state award applying. For example, in the hospital industry more broadly or the restaurant and catering industry, some states have different penalty rate structures and it is important that on 26 February 2009 the minister met with Mr John Hart, CEO of Restaurant Catering Australia. The government’s award modernisation request to the Australian Industrial Relations Commission states that ‘the creation of modern awards is not intended to disadvantage employees or employers’.

The Workplace Relations Amendment (Transition to Forward with Fairness) Bill 2008, passed in March 2008, provided for a transition period of up to five years in relation to the award modernisation process. If you juxtapose those, it is designed to move us to an award modernising system which is fair and balanced to employers and to employees and ensures that there is a process over five years whereby these matters can be introduced with both affected parties—the employer and the employee.

Senator FISHER—Mr President, I ask a supplementary question. Given that unemployment recently rose in my home state of South Australia to 5.8 per cent, will the minister guarantee that the Rudd Labor government’s award modernisation process, already underway, will not cost one Australian job?

Senator LUDWIG—you need to listen to the answer I am providing. It is always encouraging to get help from the opposition. The fundamental issue is that this government has started an award modernisation process through the Industrial Relations Commission, which the opposition were unable to do. We have also taken into account its impact across the economy by ensuring that the transitional arrangements will ensure that there are five years for the award modernisation process to run. Also, in the supplementary submission on award modernisation, the government urged the AIRC to use the full scope of transitional arrangements in relation to significant remuneration entitle-
ments because we are aware of the global financial crisis. *(Time expired)*

**Senator FISHER**—Mr President, I ask a further supplementary question. In light of the minister’s failure to provide either guarantee, why is the minister ignoring his government’s own changes already made to the Workplace Relations Act requiring modern awards to be economically sustainable and why is the minister paying lip-service and lip-service only to his Deputy Prime Minister’s direction to the Industrial Relations Commission that awards not increase costs for employers?

**Senator LUDWIG**—It does seem that you have at least heard part of the answer to the question but not the full part of it. The government has urged the AIRC to utilise and set out transitional arrangements because it is imperative that parties have sufficient time to become familiar with the content of modern awards before their commencement on 1 January 2010. As I stated in the supplementary submission to the AIRC, it is also particularly important in light of the global financial crisis, with businesses requiring certainty regarding their costs. That is why this government has put forward a plan to ensure that there are transitional arrangements and there is the full five years. We urge the AIRC to use those to be able to deal with it. I am sorry that the opposition wants to make faces about this. This is a serious matter. It is unfortunate that the opposition does not understand the global financial crisis impacts upon us across the economy. *(Time expired)*

**Scientific Research**

**Senator JACINTA COLLINS** (2.45 pm)—My question is to the Minister for Innovation, Industry, Science and Research, Senator Carr. Given the Science Meets Parliament events taking place around Parliament House this week, can the minister update the Senate on what the government is doing to boost scientific research in Australia?

**Senator CARR**—I thank Senator Collins for the question. Science has enormous power to improve our lives and fulfil our aspirations. It can give us better health, cleaner energy, smarter technologies and new industries. It can help us answer the big challenges of our time, from food scarcity to climate change.

*Senator Abetz interjecting—*

**Senator CARR**—This may not interest you, since you have so little interest in science, but the government is determined, irrespective of your ignorance, to extend and strengthen Australia’s scientific capabilities. We have introduced HECS remissions and refunds to get more undergraduates studying maths and science; we have doubled the number of Australian postgraduate awards to support young researchers in science and other disciplines, and it is also our ambition to increase the value of these awards over time; and we have created the Australian Laureate Fellowships for senior researchers and 1,000 Future Fellowships for researchers in mid-career. In 2008 we allocated an extra $1.58 billion for teaching and research facilities in Australian universities to support the study of science and other disciplines. We also want every Australian child to develop an interest in science and basic scientific skills. Our Nation Building and Jobs Plan includes $1 billion to build up to 500 science laboratories or language learning centres in secondary schools. Just last week we announced a new project to improve science education for Indigenous students in Far North Queensland. In doing these things we understand just how important science is for Australia’s future.

**Senator JACINTA COLLINS**—Mr President, I ask a supplementary question.
Can the minister explain to the Senate how the government’s Cooperative Research Centres Program contributes to better scientific outcomes in Australia?

Senator CARR—The Cooperative Research Centres Program gives researchers, businesses and government agencies the chance to work collaboratively on scientific, technical, social and environmental problems of national significance. The first 15 CRCs were established 18 years ago, in March 1991, by the late John Button. Since then, Australia has benefited from the work of 168 CRCs, including the 48 that are operating today. The program has been widely emulated overseas. Last year the government issued new guidelines to refocus the CRC Program on public good and the needs of end users. That was to overturn the policy positions the previous government had to undermine the CRC program. Applications for the 11th round of CRC funding close this week. This is a great program, an iconic program, and a program which all Australians should be proud of. (Time expired)

Senator JACINTA COLLINS—Mr President, I ask a further supplementary question. Can the minister inform the Senate about what the government is doing to increase collaboration between Australian scientists and their international counterparts?

Senator CARR—Global challenges require global responses—

Senator Abetz interjecting—

Senator CARR—Even Senator Abetz should understand that simple proposition. No one country can provide all the answers, not even a country with a scientific tradition as strong as ours. That is why we need more international collaboration. The government has opened important Australian research fellowships and awards to overseas applicants. We want the world’s best and brightest to work in this country, regardless of nationality. We have extended the International Science Linkages program and removed restrictions on the use of the Australian Research Council funding for travel by international collaborators. We have also stepped up Australia’s involvement in the square-kilometre array radio telescope, arguably the biggest international research project. Participating in global science networks and partnerships will help us deliver better science outcomes for Australia and the world. (Time expired)

Foot-and-Mouth Disease

Senator WILLIAMS (2.50 pm)—My question is to the Minister representing the Minister for Agriculture, Fisheries and Forestry, Senator Sherry. Will the minister confirm that the agriculture minister, Mr Burke, has stated that he supports in principle all the recommendations of the Beale report, and that he has also stated that he will not rule out the importation of live foot-and-mouth disease virus to Australia?

Senator SHERRY—Thank you for the question. I do recall that matter was the subject of some hours of fairly exhaustive questions and discussion at the recent estimates hearings. I do believe that the matters were canvassed, including the one you have raised, and in fact may have been taken on notice. I will endeavour, as I always try to be of assistance to the National Party—

Government senators interjecting—

Senator SHERRY—despite their doormat status in the coalition. The government recognises the importance—

Opposition senators interjecting—

The PRESIDENT—Order!

Senator SHERRY—I attempt to be pleasant and I get screams of interjections, Mr President. The government recognises the importance of a rigorous system to minimise the risk of pests and disease, particularly as
globalisation and climate change increase these threats. On 18 December 2008, the minister released the independent review of Australia’s quarantine and biosecurity arrangements, and the government’s preliminary response. The review delivers on a key election commitment. It is the first review since what was known as the Nairn review of 1996, which was established by the previous Labor government, and the panel found that Australia’s biosecurity and quarantine systems can be improved to deal with the emerging biosecurity threats. There were three sets of main changes: improving partnerships with the states and territories as well as industry; improving governance structures, including a—(Time expired)

Senator WILLIAMS—Mr President, I ask a supplementary question. Considering Minister Burke’s opinion and attitude about not ruling out the importation of live foot-and-mouth disease virus to Australia, what guarantees can he give that the foot-and-mouth disease virus will not escape and decimate Australia’s sheep and cattle industries, along with the pork and goat industries, just as the calicivirus escaped from a laboratory in South Australia while being researched?

Senator SHERRY—As I pointed out, this was the subject of some hours of questioning at Senate estimates. What became apparent at the Senate estimates hearings on this issue is that there is no—I repeat, no—current application to import foot-and-mouth virus. And despite the attempts of a range of senators at Senate estimates to unfairly inject fear into the general community on this issue, it became very apparent that that was really all that the approach of the National and Liberal parties’ senators was—that is, to inject fear, quite unreasonably. As I have said, there is no current application to import foot-and-mouth virus. That is the situation as of today; that was the situation at estimates a fortnight ago. (Time expired)

Senator WILLIAMS—Mr President, I ask a further supplementary question. The senator still has not said that Minister Burke will not rule it out. If the foot-and-mouth disease virus is imported and escapes quarantine, will the government offer full and complete financial compensation to all those affected by such an error of judgment by our political leaders?

Senator SHERRY—The senator persists in reading a question that has been prewritten and continues, as occurred at estimates, I think wilfully, to mislead and assert quite wrongly a hypothetical situation. As I have said here on a number of occasions—and certainly the National Party could not understand the evidence and the detailed outline given at Senate estimates—there is no application for the importation of foot-and-mouth virus; there is none at all. What we have here is a typical relevance deprivation question from the National Party to try to make itself more relevant on issues it has ignored for so long. (Time expired)

Digital Television

Senator McEWEN (2.56 pm)—My question is to Senator Conroy, Minister for Broadband, Communications and the Digital Economy.

Opposition senators interjecting—

The PRESIDENT—Order! I cannot hear the questioner because of the interruptions coming from my left.

Senator McEWEN—Thank you, Mr President; I will start again. Can the minister update the Senate on the government’s plans to switch Australia from analog to digital television, including which region will be the first to make the switch?

Senator CONROY—I thank Senator McEwen for her ongoing interest in this port-
folio area. The switch-over to digital TV is important to Australians as it provides audiences with improved picture and sound quality and greater program choice. The switch-over will also free up scarce spectrum, delivering what is known as the digital dividend. This realised spectrum could be used for a range of next-generation communications technologies, including wireless broadband, telephone and broadcasting services, bringing benefits to all Australians.

In order to realise the benefits to be gained from digital television switch-over, the government is working to implement a detailed plan for the phased region by region switch-over of digital television. Soon after coming to office in December 2007, the government announced a firm date for the digital switch-over: 31 December 2013. A firm switch-over timetable is important to give certainty to industry and consumers and to give them time to plan and prepare for the switch-over.

In October 2008 I announced a region-by-region switch-over timetable which will further enable industry and viewers to plan for the switch-over. Under the government’s phased switch-over timetable, the first region to make the switch to digital-only television will be the Mildura-Sunraysia region in the first half of 2010.

Senator Bernardi—Have you ever been there?

Senator CONROY—Yes, I have. I went there and launched the package, Senator Bernardi, but thank you for your question. The switch-over of the Mildura-Sunraysia region is a pilot program, and the lessons learnt there will be applied as we roll out digital switch-over across the nation. Unlike the previous government, the Rudd government recognises the importance of digitalisation and the benefits that taking our broadcasting industry to the 21st century can bring. We are committed to a digital future.

Senator McEWEN—Mr President, I ask a supplementary question. Can the minister tell us what the government is doing to support the switchover in Mildura-Sunraysia?

Senator CONROY—Earlier this year I launched a $13.6 million pilot program to support the switchover process in the Mildura-Sunraysia region, including by providing satellite services in areas of signal deficiencies and an assistance package to help eligible households switch to digital. Under the pilot program, assistance will be given to every household in which one resident is the recipient of the full age pension, disability support pension, carer payment or an equivalent payment from the Department of Veterans’ Affairs. Every household in the Mildura-Sunraysia region that falls into one of these categories will receive a free high-definition set-top box which will be fully installed for them by an accredited technician. The assistance package will commence six months before the switchover date, and the pilot program also includes the establishment of a new satellite service which, with the cooperation of regional broadcasters, will extend viewer access to digital TV throughout the Mildura licence area. (Time expired)

Senator McEWEN—Mr President, I ask a further supplementary question. Can the minister also tell us how the pilot package for Mildura-Sunraysia has been received by the local community?

Senator CONROY—The government’s digital switchover pilot program was welcomed by the people of Mildura-Sunraysia when I announced it in January this year. At a meeting in Mildura with local councillors and representatives of various community groups from the region, the enthusiasm for the government’s program was obvious. I am pleased to have been joined by the member for Mallee, Mr John Forrest, on the day of
the announcement in Mildura. Mr Forrest was also excited about the package being delivered to his region, quoted in the newspapers as saying that Mildura ‘would be the first region to arrive in the 21st century of television broadcasting’. After years of inaction by those opposite, I am pleased that Mr Forrest recognises that this government is indeed bringing 21st-century broadcasting to Australians. *(Time expired)*

**Senator Chris Evans**—Mr President, I ask that further questions be placed on the Notice Paper.

**QUESTIONS WITHOUT NOTICE: ADDITIONAL ANSWERS**

**Burma**

**Senator Faulkner** (New South Wales—Special Minister of State and Cabinet Secretary) *(3.02 pm)*—On Thursday of last week, I took on notice an element of a supplementary question that was asked of me by Senator Ludlam that related to relatives of Burmese regime officials currently in Australia. I have an answer to that part of the supplementary question. I seek leave to incorporate it into *Hansard*.

Leave granted.

*The answer read as follows—*

Question taken on Notice from Senator Ludlam Thursday 12 March 2009

Are any relatives of Burmese regime officials currently in Australia; and if so, why?

Senator Faulkner supplied the following answer: Yes.


Sanctioned individuals include members of the State Peace and Development Council, ministers, senior military figures, prominent business associates of the regime, and immediate family members (ie. spouses and children) of these individuals. Grandchildren fall outside the scope of Australia’s range of sanctions measures against the Burmese regime. Lower ranking officials also fall outside the scope of Australia’s sanctions regime.

Where it becomes apparent that an individual falling within the ambit of the sanctions regime is present in Australia, this information is drawn to the attention of the Minister for Foreign Affairs. The Minister for Foreign Affairs will consider each case on its merits and, where appropriate, has the authority under the 2.43 of the Migration Regulations 1994 to determine that a person’s presence in Australia is, or would be contrary to Australia’s foreign policy interests, thereby providing the Minister for Immigration and Citizenship with grounds to cancel the visa under section 116 of the Migration Act.

**ANSWERS TO QUESTIONS ON NOTICE**

*Question Nos 876, 906, 920, 924, 942, 943, 947, 952, 966, 970, 1003, 1004, 1009, 1015, 1029, 1037, 1041 and 1166*  

**Senator Ronaldson** (Victoria) *(3.04 pm)*—Under standing order 74(5), I ask those ministers still in the chamber—those are Senators Sherry, Faulkner, Conroy, Ludwig, Evans and Wong—to stay, given the notice I gave to them by email last Thursday. I thank those ministers who have stayed for their courtesy, and Senator Carr, who has left after having been given notice, for the lack of courtesy extended to the Senate. In light of his seniority, I ask Senator Evans why, pursuant to 74(5), after more than 30 days—indeed, after more than 90 days—answers have not been provided by Senator Evans for the following questions on notice: 876, 906, 920, 924, 942, 943, 947, 952, 966, 970, 1003, 1004, 1009, 1015, 1029, 1037, 1041 and 1166. I thank Senator Ludwig for the courtesy extended before question time when he rang and told me what matters had already been answered.

**Senator Chris Evans** (Western Australia—Minister for Immigration and Citi-
zenship) (3.04 pm)—I thank Senator Ronaldson for the question. I understand there are 23 questions asked of me and taken on notice. I think eight of them have been tabled in the last few days, but I will get Senator Ronaldson the complete list. Most of those that are outstanding relate to my representational responsibilities and/or are cross-portfolio, and traditionally cross-portfolio questions take a bit longer to respond to, given the number of officers that have to be coordinated. We are happy to provide answers as soon as possible. As I say, I think eight of the 23 have already been presented.

I note that, when Senator Ronaldson gets into high dudgeon about a question maybe having gone over 90 days from notice until it is answered, he should note that the average time taken to answer a question in the last parliament of the Howard government was 97 days. That was not the record; it was the average. This government is certainly not going to be lectured by Senator Ronaldson on performance in this area. The performance of the Howard government was appalling. In the last parliament, of the 3½ thousand questions on notice, 415 were never answered. So, if Senator Ronaldson wants to get us the answers to some of those, that would be helpful. I think two of those questions were placed on the Notice Paper on the first sitting day, so they remained unanswered for 1,103 days. It is important to put all this in the perspective of performance. I think there is one I am still waiting for from 2001. I am sure Senator Hill put it in the mail, but it seems to have gone astray!

I make it clear that the government takes seriously its responsibilities to answer questions on notice. You will find that our record is the best of any government in the last 20 years. We take our responsibilities seriously. We will get answers to the questions Senator Ronaldson has referred to. In my own case, about a third of them have already been tabled, but I will get him the precise details and dates of those—though they should be on the record. No doubt other ministers will do the same with any outstanding questions. For those ministers who have had to leave the chamber for other pressing engagements, Senator Ludwig has taken on board responsibility to respond on their behalf. You will get an answer, Senator Ronaldson, and Senator Ludwig, as Manager of Government Business in the Senate, will try to coordinate responses.

Senator Ronaldson—In response, and I am reading from page 496 of Odgers, a statement by a minister—

The DEPUTY PRESIDENT—Order! You cannot respond, Senator Ronaldson. You can take note, but I understood that you had other ministers that you wanted to ask questions of.

Senator Ronaldson—I do, but what I am saying is that that is not an explanation. I am putting that on record.

The DEPUTY PRESIDENT—You can do that when you take note.

Senator Ronaldson—I can actually do it now, I think, Mr Deputy President, and then I will take note as agreed. Normally I would take note after each explanation. We have had some agreement about this, and I will not be doing that. I will do it at the end, as discussed with the Manager of Government Business in the Senate.

The DEPUTY PRESIDENT—Then you should move to the next minister.

Question Nos 880, 881, 888, 897, 899, 905, 914, 922, 928, 945, 951, 960, 964, 980, 1001, 1006, 1007, 1014, 1021, 1034 and 1035

Senator RONALDSON (Victoria) (3.07 pm)—I move to Senator Ludwig and ask him why, after more than 30 days—indeed, more than 90 days—answers have not been pro-
vided to the following 21 questions on notice. I repeat my thanks to him for the courtesy he extended to me in response to the courtesy I extended to him last Thursday. The questions are Nos 880, 881, 888, 897, 899, 905, 914, 922, 928, 945, 951, 960, 964, 980, 1001, 1006, 1007, 1014, 1021, 1034 and 1035.

Senator LUDWIG (Queensland—Minister for Human Services) (3.08 pm)—I thank Senator Ronaldson for drawing this matter to the government’s attention. As I understand, Senator Ronaldson has listed a range of numbers. So that we do not end up at cross-purposes, I can certainly provide a more definitive list at some point. A range of answers have been provided today in response to the email that was sent, and I indicated that a range of those were tabled today. Rather than go through the numbers to try to work out which they relate to, can I say more broadly that a range of them are across all of the portfolios and are quite detailed and complex questions. Therefore, to provide the specific answers that Senator Ronaldson has sought, the government is working diligently on those and will provide them as soon as practicable. One of the challenges is, of course, that there are a significant number of questions which are very broad in their nature and ask for a significant amount of information. The government, far be it from when the Howard government was in place, has taken on the duty responsibly and is providing and gathering that information as we speak. Some were tabled, as I have said, and the information on others will be provided in due course.

In addition, some were misplaced, specifically, 888 and 897; they should have been referred to other portfolio areas. We have indicated that they are matters that should be directed to the health and sports areas respectively. I did not want to go into the specifics, because we might want to argue over those, but, in the interim, there are a range of answers from my portfolio which, it appears from the list that I have, have been tabled or for which we are coordinating a response. It does take, unfortunately, a little bit of time to ensure that we provide a full answer. What I can say, though, more broadly, is that these matters do receive our attention and are ones which we take seriously. Far be it for us to indicate that the previous government did not take, in my view, these matters as seriously as they should have. It is not unusual to look through the Hansard and find that I have raised this in the past when in opposition and felt that the response by the government—

Senator Ronaldson—Mr Deputy President, I rise on a point of order going to relevance. My understanding is that it is not open to the minister to talk about matters other than an explanation as to why these answers were not given. Therefore, this is not relevant.

The DEPUTY PRESIDENT—I think the minister was being relevant. But I would suggest, Minister, that you perhaps confine your remarks a little more tightly to the matter at hand.

Senator LUDWIG—The only point I was making was that we are, in contrast to the previous government, working through these matters. Some of them are complex. This government does take its position seriously in answering all of those questions on notice and providing responses. As I have indicated, a range of answers have already been tabled. There are a range of questions which are across portfolios and which will need some further time to gain the information to be able to table answers to them. Some will require cross-portfolio coordination in order to be able to provide a response. As my last contribution to this debate, it does concern me that it is a little bit unusual for the opposition to raise this so close to the date. Usu-
ally a little more notice is given to allow the government to provide an explanation, which is usually readily accepted by the opposition, so that we can provide a coordinated approach. It seems to be that, when the opposition were in government, they did not take the matter as seriously as we do.

Senator Ronaldson—If we want to get through this in reasonable time, how can this possibly be relevant to the question that I asked the minister in relation to an explanation for this?

The DEPUTY PRESIDENT—The minister is probably drawing his answer to a close.

Senator LUDWIG—I have.

Question Nos 751, 885, 887, 903, 926, 949, 950, 978, 1012, 1013 and 1032

Senator RONALDSON (Victoria) (3.13 pm)—I ask Senator Faulkner the same question, which is in relation to questions on notice Nos 751, 885, 887, 903, 926, 949, 950, 978, 1012, 1013 and 1032. I thank the minister for some late responses that I have received over the last couple of days.

Senator FAULKNER (New South Wales—Special Minister of State and Cabinet Secretary) (3.13 pm)—Let me say, first of all, in relation to the notice that was provided by Senator Ronaldson—and I appreciate him doing so—on Thursday, the last sitting day of last week: of those 22 questions requested by Senator Ronaldson, I make the point that six were not in my primary portfolios or portfolios that I represent. For example, I say—through you, Mr Deputy President—to Senator Ronaldson: question 887 is a question directed to the Minister for Health and Ageing.

Regardless of that point, which is nevertheless worth making, I can inform Senator Ronaldson that, by the end of today, 18 of the 22 questions that he has identified will in fact have answers tabled. I can in fact say to the Senate in relation to these 22 questions that answers for 14 have already been tabled. I indicate to the Senate that I am advised that an additional four questions are with the Senate Table Office awaiting some form of departmental documentation to complete that tabling today. I hope that is of assistance to Senator Ronaldson.

Question Nos 892, 911, 912, 913, 934, 935, 936, 957, 958, 959, 986, 991, 1018, 1019 and 1030

Senator RONALDSON (Victoria) (3.15 pm)—I thank Senator Faulkner. I ask a similar question of Senator Wong pursuant to standing order 74. These are question Nos 892, 911, 912, 934, 935, 936, 957, 958, 959, 986, 991, 1018, 1019 and 1030. I thank Senator Wong for staying today, too.

Senator WONG (South Australia—Minister for Climate Change and Water) (3.15 pm)—I thank Senator Ronaldson for the question. In the time frame, I have not ascertained precisely how many of these questions identified have had answers tabled. The verbal advice to me is that some of them already have been. There are also some questions that relate to areas outside my representational or portfolio responsibilities. I will endeavour to ascertain which of those this issue relates to and advise the Senate accordingly.

Question Nos 898, 910, 916, 919, 921, 933, 939, 944, 956, 962, 965, 977, 1005, 1011, 2023, 1031, 1033 and 1036

Senator RONALDSON (Victoria) (3.16 pm)—My question is to Senator Carr. I ask Senator Carr, pursuant to standing order 74, why after more than 30 days—indeed, after more than 90 days—have answers not been provided to 18 questions on notice? I note that Senator Carr, as opposed to some of his colleagues, has not even had the courtesy to stay in the chamber, having been given no-
tice last Thursday of this. These are question Nos 898, 910, 916, 919, 921, 933, 939, 944, 956, 962, 965, 977, 1005, 1011, 2023, 1031, 1033 and 1036.

Senator LUDWIG (Queensland—Manager of Government Business in the Senate) (3.17 pm)—I speak on behalf of and represent Senator Carr, Senator Sherry and Senator Conroy. Ministers have busy schedules. In relation to procedural matters like this, it is not unusual for the Manager of Government Business in the Senate to respond on behalf of other senators.

As I indicated during my answer to an earlier question, we take answering questions seriously. We have been looking at how we can provide some of those responses. The questions range quite widely across many portfolios. It requires an amount of work on behalf of the government to provide answers. We are happy to undertake that work, unlike the previous government, which appears—from the statistics that Senator Evans read out—to have not been happy to undertake the work, or perhaps it was not happy with the transparency and scrutiny that otherwise would have been provided had they answered those questions. We have undertaken to examine those questions and ensure that answers are provided.

Question Nos 747, 915, 917, 938, 940, 953, 961, 963, 1022, 1024 and 1027

Senator RONALDSON (Victoria) (3.18 pm)—Pursuant to standing order 74, I ask the Minister for Superannuation and Corporate Law, Senator Sherry, about question Nos 747, 915, 917, 938, 940, 953, 961, 963, 1022, 1024 and 1027.

Senator LUDWIG (Queensland—Manager of Government Business in the Senate) (3.19 pm)—In relation to questions asked of Senator Sherry in his role as the Minister for Superannuation and Corporate Law, responses are not too far away, as I understand it. Question No. 1150 is a question in relation to which Senator Evans would respond on behalf of all ministers. Because some of these questions are across portfolios, the government will try to ensure that we provide a coordinated response so that we answer your questions as accurately and fully as possible. Question No. 747 was about a matter that was transferred, as indicated on the Notice Paper on 10 March.

In relation to questions asked of Minister Sherry as the Minister representing the Minister for Finance and Deregulation, No. 953 is near clearance. Question No. 1137 is about a matter that Senator Evans, in his capacity as Minister representing the Prime Minister in the Senate, will respond to on behalf of all ministers. Clearly, this government has taken the matter of providing responses seriously. Raising it at this juncture is a little early, but that is a matter for Senator Ronaldson.

In relation to questions asked of the Minister representing the Minister for Resources, Energy and Tourism, Senator Sherry, there was a response lodged to question No. 917 on 13 March. For question No. 940, there was a response lodged on 13 March. Question Nos 963 and 1024 are also near completion. For question No. 1147, it was advised that Senator Evans, in his capacity as Minister representing the Prime Minister in the Senate, would respond on his behalf.
In relation to questions asked of Senator Carr and Senator Conroy, these matters are similarly being taken very seriously. This government does take answers to questions of this nature very seriously. As Senator Ronaldson may know, many of the questions were across all portfolios. Some were to individual ministers. Some were sent to the wrong minister, either by error or misadventure. What we will do is ensure that we provide a coordinated and fulsome response to those matters. I understand that that is currently now in train and that many of them have already been answered or will be tabled shortly. I will leave the comparison to the end of taking note of answers to questions, and I look forward to that debate.

**Question Nos 884, 908, 909, 931, 932, 946, 954, 955, 974, 992, 993, 1000, 1008, 1017 and 1026**

**Senator RONALDSON** (Victoria) (3.21 pm)—While it has been touched upon by the Manager of Government Business in the Senate, in relation to Senator Conroy, I ask him why after more than 90 days answers have not been provided to the following 15 questions: 884, 908, 909, 931, 932, 946, 954, 955, 974, 992, 993, 1000, 1008, 1017 and 1026?

**Senator LUDWIG** (Queensland—Manager of Government Business in the Senate) (3.22 pm)—That is helpful. I think I have provided a response at first issue to ensure that we do not continue this debate longer than need be. We will look at those numbers particularly to ensure that the responses are coordinated across the portfolios and provide an early response. We will also check to see whether any of them have not already been tabled and we will also ensure that none of them have been referred to another minister for a coordinated response to be provided. We do take this very seriously and we are working diligently to provide early responses.

**Senator RONALDSON** (Victoria) (3.22 pm)—I have two motions to move: one will effectively be a take note motion and the other is a formal motion. I seek leave to move, pursuant to standing order 74(5)(c), which concerns the issue of appropriate explanations not having been given in response to this matter:

That all outstanding answers be table by Thursday, 19 March, together with an explanation from each of the relevant ministers as to why their answers were not provided pursuant to standing orders.

**Senator LUDWIG** (Queensland—Manager of Government Business in the Senate) (3.23 pm)—by leave—I think it is misplaced to move such a motion. We have already indicated that we take the matter seriously, unlike the opposition did when they were in government previously. We have indicated that we have answered a range of those today. What Senator Ronaldson has not been able to do is go through and detect which ones have been answered. He also has not taken into consideration that there are a range of matters that are in train and will be answered shortly. The questions that the government is working on are complex, and many of them are quite large.

I think the motion is premature. I am sure that within a short time Senator Ronaldson may want to consider moving that motion again. At this juncture I submit that it is a little pre-emptory and it should not be moved at this point. If he was minded to move it at another point, it is always the case that we are very loath to deny people leave. We think that sufficient time has been provided for this debate so far. We know that we will also have another debate about this issue. In this instance I think that it is a bit premature and, through you, Mr Deputy President, I would ask Senator Ronaldson to reconsider it. After
summing up his questions that have been answered—and looking at the ones that have been transferred and also the ones that may come in within the next couple of days—he may want to consider moving the motion again, but at this point in time I am not minded to provide leave for his proposed motion.

The DEPUTY PRESIDENT—So you do not wish to grant leave?

Senator LUDWIG—No.

Senator Ronaldson—Mr Deputy President, I rise on a point of order. My reading of standing order 74(5)(c) is that where there has not been a satisfactory explanation I can move that motion without notice. If that is not correct, please tell me, but my understanding of both paragraphs (b) and (c) is that leave is not required because it deals with moving a motion without notice.

The DEPUTY PRESIDENT—I will rule on this point of order. The standing orders say that where there is no explanation you can move a motion in respect of the answer, but where an explanation has been given—and whether or not you think it is a satisfactory explanation is irrelevant—you need to seek leave to move a motion. But you can move a motion to take note of the answers.

Senator RONALDSON (Victoria) (3.27 pm)—Regrettably, I thought I was lurching in that direction. I move:

That the Senate take note of the explanations. I think that 90-plus days is pretty reasonable time for answers to be given. Quite frankly it is not good enough for the government to say, ‘Well, under the former government we did not get answers.’ You had the ability to do what I have done today. If I had not given notice it might have been 90 days, 100 days, 120 days or 150 days. So the government that talks about openness and transparency has been dragged kicking and screaming into this debate to answer these questions. Isn’t it fascinating that for 90-plus days 154 questions remained unanswered but, as soon as a bit of pressure came on and the ministers were required at my request to front up today and extend the normal courtesies, it went from 154 to 109 questions because there was this mad panic to get the questions answered? If it could be done in 36 hours, why did it take 90-plus days to get an answer? The clear answer to that of course is that the openness and transparency that they talk about is only as relevant as the information and the notice that is given for them to come in here and explain why they have not done it. That is the only reason. If it could be done as quickly as that, why wasn’t it done beforehand?

I repeat that I thank Senator Ludwig for the courtesy he extended to me today by making a phone call. I very much respect him for doing that and for providing an explanation. I am not saying that I thought it was a satisfactory explanation, but at least he had the courtesy to ring me and provide an explanation. Quite frankly, why weren’t Senator Sherry, Senator Carr, Senator Conroy and others in here to answer this?

Surely, if the government are serious about openness and transparency and if they are serious about trying to convince the Australian people and us that they are serious about openness and transparency, they could afford five minutes out of their ministerial day to stay here. So I take it that Senator Evans and Senator Ludwig and Senator Wong were not as busy as Senators Carr and Sherry and Conroy. Give me a break! I can understand why Senator Conroy needed to leave early—because he has got a looming disaster on his hands with the national network; I am surprised he even had time to come in to question time while he is trying to get this mess sorted out. What is so special about Senator Carr that he could not come in here?
What is so special about Senator Sherry that he could not wait? What is so special about Senator Conroy that he could not wait? How come it is good enough for the Leader of the Government in the Senate to be in here to answer these questions but not for the others? They are treating this with complete and utter contempt—contempt of the Senate.

Just so no-one misses this I will, finally, read from *Odgers*—about three-quarters of an hour after I first tried to do so, before I was so rudely interrupted by the Manager of Government Business. I could have done this three-quarters of an hour ago; you have forced me to do it now. This is a magnificent tome too, I have to say. On page 496, in the second paragraph, it says:

A statement by a minister that an answer is being prepared, or that a question is under consideration, is not regarded as an explanation of failure to answer the question (rulings and statement by President Reid, SD, 28/5/1988 …

What did we hear from Senator Ludwig on behalf of the missing amigos and those who did stay here? What did we hear today from those ministers or those who are purporting to represent them? What we heard was that an answer is being prepared or the question is under consideration—not an explanation at all. Senator Ludwig should well know that, under previous rulings of various presidents, that is not viewed as being an appropriate answer to this question.

I would not mind so much if someone like you, Senator Ludwig, had had the courtesy to ring up on Thursday or Friday and say: ‘We’re getting this together. Yes, we’re a bit over; I acknowledge that—90-plus days over.’ But not only did they not have the courtesy that you extended to me and, more importantly, extended to the Senate; they did not even have the courtesy to stay in here today, for 15 minutes out of their busy lives, and answer those questions. Why would they believe it appropriate to treat the Senate with such contempt? As I said earlier, it is not what you say with this government; it is what you do. We get all the flowery language about openness and transparency, walking it through nicely, but when it comes to the deeds it just evaporates; it disappears out of the window. We get all the weasel words from you about how you care and how you want to change the system and how things are going to be different under you, but, when you actually have some pressure on you to apply those standards you disappear, you just walk out.

The classic was the 2020 Summit about 12 months ago. Remember about 12 months ago at the 2020 Summit? You have never seen so many drums banged in all your life. There would not be a western late on a Saturday night where there were more drums banged in relation to a particular issue. It was a serious drum-banging exercise. We had the Prime Minister sitting around with the open-necked shirt and on the ground, discussing things. What have we heard about the 2020 Summit since they all got on the planes and went home? A huge number of people took the government at face value in relation to the 2020 Summit and absolutely nothing has come from it since.

Senator Fierravanti-Wells—And how many millions of dollars did it cost?

Senator RONALDSON—Exactly: how many millions of dollars did it cost? It was the 24-hour news cycle, the spin and the substance—and, as soon as they turned the lights off in this place at the end of the summit, they turned the lights off in relation to the Prime Minister’s interest in these matters. They just flicked both switches, and he went on to the next one. We have heard the drum bang, time after time, about openness and transparency and about the government listening to the people. Do you know what the website said, no ifs, no buts? ‘This will all be
answered by the end of the year at the latest. I’m going to make sure that the views expressed to me are actually acted upon by the government.’ Then, all of a sudden, the website changed: it went from ‘the end of the year’ to ‘the New Year’. Well, even given its most expansive interpretation, we are no longer in the New Year. We are in the middle of March. It is no longer the New Year. We will not get a response in relation to the 2020 Summit, and every single one of those people who came here in good faith has been let down by the government.

In relation to this issue, again it is back to this ‘openness and transparency’; it is about the ‘new way’. Well, the new way has not delivered. There is no interest in changing these processes that apparently were so diabolical. There are 160-odd unanswered questions after 90-plus days. And, as I said before, if I had not done something about it they would still be unanswered. Then we had the discourteous behaviour of a number of ministers who left the chamber today. It was complete and utter discourtesy.

I am aware for the time pressures today and that this discussion has probably gone on a bit longer than we all anticipated, so I will finish my remarks on this basis. I know what Senator Ludwig is going to jump up and say: ‘They were terrible. We are better.’ You are not better at all.

Senator O’Brien—I don’t make a contribution—

Senator RONALDSON—No, you most certainly do not make a contribution. I am glad you have finally fessed up to that, Kerry. No, you are absolutely right.

Senator O’Brien—You are so far off the mark it is not funny!

The DEPUTY PRESIDENT—Order!

Senator RONALDSON—There is no point at all standing up here and rattling off figures about what happened between 1996 and 2007—whatever it is. That is not relevant. What is relevant is that you came in here at the start of your government and said that everything was going to be different under you. Indeed, maybe I should have left it until we had figures that were way beyond the figures you are just about to quote. Maybe I should have left it to 150 or 170 days. But I have not done that because the questions on notice are absolutely relevant to the way this government is behaving—absolutely relevant. I want to know what this government has been hiding. Why hasn’t it provided these answers before? Why does it need this quite peculiar process of the Senate for these questions to be answered?

There are a number of questions and I could go through them in relation to a whole range of issues—overspends, underspends, media monitoring, media contacts, media staff, credit cards, overseas travel. There are a whole range of things in relation to media monitoring—for instance, a one-year progress report and a whole lot of other things. The only reason that they have not been answered is that they are too difficult. Now surely. Senator Ludwig can answer this question quite adequately himself without any input from Senator O’Brien, who is making no contribution at all. Anyway, if he wants to play his games up the back there, that is all right.
they have got to come in here and explain themselves. I do not mind, they can have a go at what might have happened in the past—

Senator Fierravanti-Wells—They have spent more.

Senator RONALDSON—They have spent enormous amounts of money. But they cannot plead openness and transparency and then put in place a process of denial of their responsibility to answer these questions within a reasonable time. If they are going to preach something, they have actually got to be prepared to practise it. Senator Ludwig knows as well as I do that these are not explanations within the rules of the Senate. They are not explanations that the rules of this place have demanded, and I am not going to pursue the matter any further than that. Despite the fact that they are outside the standing orders—there has been complete and utter contempt for Odgers and a complete and utter contempt for the process—this will be the end of it.

But I will put you on notice now, Senator Ludwig, that if you do not clean your act up, if you do not improve your answers to questions, then we will be back here again and we will go through the same process. If you are serious about openness and transparency, if you are serious about processes, let us make sure that I do not have to do again what has now taken up some three-quarters of an hour of the Senate to do—obtain answers that you were required to provide after 30 days under the standing orders. That is the only reason we are spending three-quarters of an hour in here: to make sure that you deliver what you should have delivered 60-plus days ago—and in some cases a lot more than 90 days. So let us hear no more about openness and transparency and let us hear a bit more honesty from this government in relation to what it is going to do vis-a-vis its respect for this chamber.

Senator LUDWIG (Queensland—Manager of Government Business in the Senate) (3.41 pm)—My contribution will be a little bit shorter than that contribution and maybe not as entertaining. This government does take the matter very seriously, unlike, perhaps, those in opposition who try to make the debate entertaining. It is a serious matter. What the government have said in respect of many of the questions that have been put on notice is that we are coordinating a response across portfolios. Some of them are complex and some of them are quite lengthy in character and will require some additional time to be able to provide detailed responses to them. And that is, in part, in addition to what I said—and I think I said that earlier as well. It is within standing orders and within Odgers as an appropriate response to the question.

The normal course of events—and perhaps it is worth while responding to this—is that, to provide what I would call 'notice' from Friday till Monday to provide these responses, this government has been responsive and has provided many of those that were in the pipeline to be tabled. The usual course, though—and the opposition perhaps failed to recognise this even when they were in government—and which I then followed in any event, is to indicate that there are a range of questions that have been unanswered and to give the government an opportunity to provide the answers and to ensure that those questions are answered, rather than bring them in here at the earliest opportunity and trail them through this place to seek to make politically opportunistic points.

This government has taken the matter seriously and as we speak is providing responses or indications that they are in the process. We have not sought to make cheap
political points about this, because, unlike the opposition, this government does take it seriously. The opposition has failed to appreciate that it is appropriate for me as Manager of Government Business in the Senate to represent other ministers here so that they can do the usual work that they do. It is inappropriate to complain about that when we are representing, and can represent, other ministers in this chamber.

It is a silly point to make that others, because of their absence, are somehow different from those who are here. Senators on this side take their role seriously across the board. Some have been available to be able to provide that and some others, I suspect, had appointments that could not be altered and they needed to deal with those. The usual course, in any event, is for one minister such as me to deal with all of them en bloc. That is not unusual and that is the course this government has taken because many of your questions were not only to individual senators but across portfolios to all ministers. Therefore, given the way that you have asked the questions themselves, it does in fact suggest that the way we have been dealing with it—and that is to coordinate a response and for one minister to deal with the response—is not an unusual process.

So I find it disappointing that the senator has made criticism in that vein. It is unnecessary and unhelpful to the whole debate and, in fact, misplaced. Of course, what this government has also done is sought to introduce quite reasonable concepts of ministerial statements in parliament explaining decisions and has looked at a raft of transparency measures including the acceleration of tabling of the questions on notice. We have also looked at other transparency measures such as a lobbyist registrar, abolition of the ministerial committee of government, communication of twiceyearly tabling of advertising expenditure to prevent a range of occurrences, tabling of the Members and Parliament (Staff) Act annual report and merit based selection for employment of agencies. We have done a range of things that the previous government failed to do and failed to acknowledge that they had any need to do to ensure that there was transparent government. This government is transparent and able to provide this type of information to also get rid of what—for the opposition when they were in government—were effectively jobs for the boys. They would not provide information about how their selection process went ahead.

What this government has been able to do in the short time that it has been in government is take these matters and transform Australian government into one that takes transparency seriously and one that tries to provide timely information. What the opposition have failed to acknowledge in this debate today is that the questions that were asked were huge and complex. What they have also failed to acknowledge is that this government has taken its role seriously and not only provided responses today but continues to commit to provide responses—unlike the previous government, the Howard government, which did not take its role seriously, would not have had the number of ministers here to respond to Senator Ronaldson, would not have even deigned to provide an explanation as detailed as I have provided, as I have provided on behalf of Senator Sherry and as Senator Evans has provided, and would not have even deigned to ensure that there would be responses. That is evidenced by what Senator Evans read out, which was that the number of questions that continue to remain on notice, 3,482, gives you a sniff of what the previous government was like when it was in government and how it treated the opposition. And 415 questions on notice were never answered. That is an indictment of the previous government.
Senator Parry—Did you ask?

Senator LUDWIG—This government has moved to change that and you should look at the Hansard and look at some of the questions that I have asked over the years before you interject along those lines. Here is a telling statistic: two of those unanswered questions were placed on the Notice Paper on the first sitting day and remained unanswered for 1,103 days. I think that really sums up the previous government’s record.

Senator Ronaldson, what we will do is take the matter seriously and work with you to provide responses. It is appropriate to delay the motion—as I did not provide leave to move it—to a point where if you do have issues such as you have raised you do them in the appropriate way. Usually, we can resolve these very quickly. I indicated in my email on Friday that we were working on providing a response. I spoke to you about how we do that. That is the usual course, rather than take up some 50 minutes in the chamber while we go through what I can only say is an entertaining debate but not a serious debate from the opposition side. It is a serious matter and that is why I am also taking up more time than I would otherwise do to ensure that those who might be not only participating in this debate but reading or listening to the debate can understand that this government does take this seriously.

Question agreed to.

HEALTH INSURANCE
Return to Order

Senator LUDWIG (Queensland—Minister for Human Services) (3.49 pm)—In this vein, I wanted to table an interim government response to orders for production of documents No. 32 on the Notice Paper of 16 March 2009.

Senator Bob Brown—What was that matter, please?

Senator LUDWIG—It is a private health insurance reforms order for production of documents.

The DEPUTY PRESIDENT—It was sought last Wednesday.

QUESTIONS WITHOUT NOTICE:
TAKE NOTE OF ANSWERS
Migration

Senator FIERRAVANTI-WELLS (New South Wales) (3.50 pm)—I move:

That the Senate take note of the answer given by the Minister for Immigration and Citizenship (Senator Evans) to a question without notice asked by Senator Fierravanti-Wells today relating to immigration and jobs.

Senator Ronaldson was talking about spin over substance, and it is not just about spin over substance in aspects of the production of documents. Today’s announcement is just another example, another version, of rhetoric and flourish rather than acting decisively in relation to the decision. What is being advocated as this cut to immigration in the skilled migrant sector is, in reality, still an increase. One only has to look in the budget statement on 13 May 2008 by Minister Evans:

The Rudd Government has moved to ease pressure on employers struggling with the skills shortage by adding an additional 31,000 skilled migrants to the 2008-09 Migration Program. So today the minister, with great flourish, announces a 14 per cent cut of 18,500. But that actually still leaves a net increase of 12,500 skilled migration places in the 2008-09 program. Looking back, it is actually an increase of about 7,000 over the skilled places in this 2007-08 migration program.

Of course, the coalition has been asking the government to pay attention to what has been happening on the ground in relation to jobs. Jobs have been disappearing in the Australian economy, and since October last year the shadow minister for immigration, Dr Stone, has been focusing on this. She has
been saying these intake targets give rise to unemployment and has been asking that consideration be given to the plummeting of confidence in the business sector. So you can imagine the frustrations of our plumbers, builders and brickies on hearing that immigration totals are still at record levels when in fact we have been calling for months and months—since before Christmas—for the government to make a realistic assessment and slow down immigration. Really, this government should have acted earlier.

Look at the way this government has been handling these sorts of issues. Look at the way it has absolutely bungled the guest worker pilot. Two-and-a-half thousand seasonal Pacific islanders were supposed to be on their way; in reality only 50 Tongans arrived in the regional area of Robinvale. It was not fair to them—facing the hostility of a community saying they need jobs for their own locals. In the end, let us not forget we still have about 150,000 as the general skilled migration target, and that is still a lot of jobs that Australians could have.

When you say that there are and there have been skills shortages, the business of filling skilled positions that cannot be filled by Australians—and there is recognition that there are those categories—is protected through the section 457 visa process. We are not saying that that should be curtailed. Certainly, there has been some revision of that program. The reality is that we are a country built on migration. I am the daughter of migrants to this country, but when my parents came to this country there was a job for them. They came here and they were welcome here because there was work. But we now have a situation in which this government has taken one of the best economies in the world and driven it into recession by the way they have talked down the economy and bungled their reactions with things like the bank guarantee. They have driven this economy into recession. This is a time when we should be looking at migration in a much more holistic, global sense—(Time expired)

Senator LUNDY (Australian Capital Territory) (3.55 pm)—I am not quite sure how to interpret those comments from the opposition, but that sounded like a resounding endorsement of the government’s activities in this area of policy. The senator ought to know that these changes follow measures announced in December that resulted in only those migrants sponsored by an employer or in an occupation on the critical skills list being granted visas under the permanent skilled migration program, with over half of the permanent visas being granted to applicants already living and working in Australia. So this latest decision by the government to cut the program by another 14 per cent is further proof of us responding to the global financial crisis and the downward pressure it is putting on our economy.

As a responsible government the federal Labor government is moving fast to respond to these challenges. Not only are we now specifically addressing another measure with respect to the migration program but also we have done many things already this year, as all senators know, to address the pressure on our economy, the slowing of our economy, and the need to stimulate jobs and, where we possibly can, forestall the loss of jobs in key sectors. It is worth while in the context of this debate to talk about the stimulus package that the Rudd Labor government has put in place, the most recent component of which is $42 billion worth of spending, which includes a substantive investment in our education sector. Building the Education Revolution is about providing jobs in a clever place and stimulating the economy at the community level. For many working people this kind of stimulus will mean the difference between keeping a job and not keeping a job, and the complementarity provided by the cut
in the permanent skilled migration program as announced today starts to fit pieces of this very challenging puzzle together as neatly as we can possibly manage.

It has long been the case, as I think all senators in this chamber know, that the government can adjust immigration levels according to the economic circumstances of the day. Last week’s cabinet decision to cut the skilled migration rate in light of the worsening economic situation is further proof of the Rudd government’s responsibility to act in the face of this worsening crisis.

Another change to the program is the removal of the building and manufacturing trades, such as bricklayers, plumbers, welders, carpenters and metal fitters, from the critical skills list. The list will remain but will now comprise mainly health, medical, engineering and IT professions, in which there are still some skills shortages. Particularly in health care we need to maintain a program to ensure that we source the skilled professionals that we need whilst still protecting local jobs and the wages and conditions of Australian workers. The Rudd Labor government is still committed to a migration program but will continue to monitor the migration intake and will set the 2010 migration program to reflect the economic climate as part of the budget process. We understand, as the senators throughout this chamber know, that it is an essential part of our economy.

I will take the last minutes of my time to reflect on some of the comments made by the previous senator in this debate. Senator Fierravanti-Wells compared the handling of migration by the federal Labor government with that of the former government. The former government had a very poor credential with respect to skilled migration, and I make particular mention of the temporary skilled migration program. I saw firsthand abuse of that program, with employers seeking to exploit temporary skilled migrants in local employment here in Canberra. This resulted in a number of those employers incurring a penalty in the Federal Court because of their poor treatment of those workers. It stands on the record as a very poor reflection of the previous government, with its lack of attention to the quality of the temporary skilled migration program, and it is also a symbol of the extreme neglect of what was happening on the ground. It was one thing for the former government, along with employers around the country, to stand up and claim the great work they were doing to assist with the skills shortage, but they never took the care to ensure that these workers were looked after; and, in fact, paid and provided with conditions in accordance with the law. The Howard government has a disgraceful record of management of immigration policy. (Time expired)

Senator BARNETT (Tasmania) (4.00 pm)—I also stand to take note of the answer by Senator Evans today. It is the same issue to which Senator Lundy and Senator Fierravanti-Wells were addressing their remarks: migration numbers and, specifically, the bungling by the federal Labor government on this matter.

A decision made by cabinet last week and confirmed yesterday is that the permanent skilled migration program will be cut from 133,500 for the financial year 2008-09 to 115,000—that is a cut of 18,500, or 14 per cent. The government says that this is due to the changed economic environment, the global financial crisis and growing unemployment. But I want to note that it is still a 12 per cent increase over the 2007-08 numbers which were set in place by the former, Howard government of some 102,500. It is still a considerable increase on the numbers for the previous financial year.
What has the minister been saying about this matter? This matter has been raised on the public record in Senate forums, and specifically in the supplementary budget estimates on 20 and 21 October 2008, when Senator Ellison, Senator Fierravanti-Wells and I asked the minister: ‘What are you doing and what will you do about the migration numbers, and specifically skilled migration numbers, coming to Australia?’ The response was: ‘It will be considered in the budget context and a decision will be made in May next year.’ That was part of his answer. Of course, he gave a very fluid and flowing answer about the economic circumstances of the day, but he did say that that decision would have to wait until May next year. We again asked questions on this matter in February this year—just a month or so ago—in the Senate committee hearings on additional budget estimates. Again, the answer was the same: a decision will be made in the context of the budget in and around May this year. We know that over the weekend the government responded and made that decision public. Why didn’t they act sooner?

We know that the global financial crisis has been around for a long time and that the government’s decision to increase skilled migration numbers by record levels was made about 12 months ago, yet we have had to wait nine months for a decision and a response by the government. Have they balled it up? I do not know, but all the hallmarks are there that they have. All the hallmarks of the bungling and the mismanagement of this process by the Labor government are there. In answers at additional estimates, Senator Evans referred to an Access Economics report which is well over 12 months old. Indeed, he relied on that report for the decision to increase the skilled migration numbers more than 12 months ago.

We have had the global financial crisis since then and skyrocketing unemployment. We had one giant cash splash in December and then another giant cash splash just a month or so ago, with the funds being expended not only here but also overseas. When I say ‘overseas’ I mean ‘overseas’. Some 69,000 Australian pensioners overseas received approximately $80 million. That giant cash splash was designed to strengthen the Australian economy; it was designed to strengthen our economy to create jobs in Australia, yet that money in the December cash splash has gone overseas. That is exactly what happened. We know how much money went overseas; it is on the public record. And the government will not answer the question as to how much of the $42 billion giant cash splash recently expended has gone overseas. We do not know. And we do not know exactly to whom and whether it was paid to deceased estates or whether it was paid to the beneficiaries of those deceased estates—whether they be families or pets. Has it been paid to pets? We do not know. The government should answer those questions and come clean.

Senator FORSHAW (New South Wales) (4.05 pm)—I noticed in the last couple of minutes of Senator Barnett’s five-minute contribution that he actually stopped talking about the issue that he was taking note of, which was the answer regarding migration that was given by Senator Evans during question time. He started talking about the economic stimulus package and what he called the ‘cash splash’. He claims that money from this package may go to pets overseas. What it demonstrates is that this opposition is all over the shop. In the last 10 or 15 minutes, we started taking note—

Senator Parry—Mr Deputy President, I rise on a point of order regarding relevance to the taking note motion. The motion to take note of answers was directed towards an answer given by Senator Evans today in re-
response to Senator Fierravanti-Wells, and Senator Forshaw is nowhere near that.

Senator O’Brien—On the point of order, Mr President: the debate has ranged widely and Senator Barnett, who has just left the chamber, sought to extrapolate a connection between jobs and the jobs stimulus package. I suggest that it is in order to address a matter raised in that context, given the relationship which obviously Senator Barnett felt that matter had to the debate in question. Addressing that, I would suggest, is in order.

The DEPUTY PRESIDENT—It has been the custom in taking note of answers to allow people to range pretty wide and far, but I would remind Senator Forshaw that we are taking note of the answer given by Senator Evans today.

Senator FORSHAW—Thank you, Mr Deputy President. I am surprised at that point of order. I had been speaking for 50-odd seconds and I drew attention to the fact that Senator Barnett could not even spend five minutes on the issue. I intend to spend the next four minutes on the issue and I think I am entitled to respond to Senator Barnett’s failure to deal with the issue for the full period of time. What I was going on to say was this: concerning migration and the recent announcement by the government, for many years immigration was treated as a bipartisan issue. That stopped with former Prime Minister Howard many years ago and the tradition of bipartisanship has not continued since that time. We saw what happened with issues relating to boat people and with the Tampa and so on. I wish we could get back to a situation where immigration was treated as a bipartisan basis, because we know a couple of important things. Firstly, there is agreement around the country and I believe across the political divide that an orderly immigration program is vital to our economic future. It is clear that in times of economic stress particularly and in times of economic growth and prosperity we should always have regard to our immigration intake. That is understood to be the case particularly for skilled migration because two factors are in play. One is: what are the demands of our labour force for skilled professional people to ensure that our country continues to grow and prosper? Also: what are the effects upon the Australian population and upon workers in Australia in an economic downturn where you continue to have an immigration program?

This government has recognised that in the current circumstances it is necessary to reduce the intake for this year’s permanent skilled migration program by 14 per cent. I found it interesting that Senator Barnett referred to the fact that the opposition asked questions of the government back in October—I think that is what he said—during supplementary estimates and again during additional estimates in February this year. He was critical of the government. Now the government has given him an answer. We have announced the revised figures for this year’s skilled migration intake and Senator Barnett, having got that answer in the last couple of days, now criticises the government for taking this decision—yet he wanted to criticise the government for not taking the decision back in October or February.

The economic circumstances have changed dramatically since September last year—one of the biggest changes in economic circumstances in the history of the modern world. When you look at an issue like this you have to make decisions with due consideration and that is what this government has done. I make a further point that you have to look at the total package of immigration programs. We note that the intake under the 457 program has been 30 per cent lower in the last couple of months.
Senator BOYCE (Queensland) (4.12 pm)—I also wish to take note of the response of Senator Evans to Senator Fierravanti-Wells question. It is interesting to note that Senator Forshaw has suggested that other speakers might have strayed away from the particular point on immigration. Given that he himself strayed into illegal immigration, I am not sure what point he was trying to make about how our migrant workforce should be arranged.

Senator Forshaw—On a point of order, Mr President: the question to the minister during question time referred to the supposed failure of this government to deal with increasing numbers of boat people.

The DEPUTY PRESIDENT—Senator Forshaw, that is part of a debate; it is not a point of order.

Senator BOYCE—Perhaps I would be better to use the response of Senator Lundy as a starting point to discuss this question. She pointed out that immigration is part of a very complex puzzle that needs to be addressed if we are to get our economy right. The problem is that puzzles tend to be something you do in a very leisurely, stop-start fashion. Unfortunately, that is exactly the approach this government is taking to vital questions that need to be answered to address the problems in our economy, of which the migration workforce question is one. It was not until unemployment jumped to 5.2 per cent last week that the minister managed to act by cutting the skilled migrant workforce program by 14 per cent. As other speakers have pointed out, there have been signs for months and months—since October last year at the very least, when it was first raised by the shadow spokesperson for the coalition, Dr Sharman Stone—that action was needed not in a leisurely, stop-start fashion but in a prompt and targeted fashion.

In my own state of Queensland 24,100 people have become unemployed since February 2008. I do not think we had to wait until now to begin to address that question. This month alone 3,100 more Queenslanders have lost their jobs. It has been pretty clear since mid last year that business after business was having to put off staff because they simply could not survive. I am aware of one major plumbing supplies company that has put off 500 workers since Christmas, many of them skilled tradesmen, simply because the economy has slowed to the stage where there is no-one buying the products that the supplier sells. The question goes on and on. Of course, there is a complexity to this. If you look at the so-called fair work legislation, if you look at the emissions trading scheme legislation that is proposed, they all tie in with jobs—they all tie in with the need for action well before now on cutting our migration workforce numbers.

In May last year the government proudly boasted that they were bringing in a record number of skilled migrants. I think it was pretty clear last year that that was not the case. We have been calling for a managed, strategic response to this problem for the last six to eight months. We have not been the only ones. The National Retail Association pointed out today that youth unemployment in Australia is rising very rapidly. It has gone from 11.9 per cent 12 months ago to 17.9 per cent in February 2009. With figures of 17.9 per cent for youth unemployment, we are heading back to the dreaded figures of ‘the recession we had to have’.

The figures in Queensland, where the Premier is purporting to be interested in jobs whilst not having the courage to tell her federal counterparts what to do about Fair Work Australia or the emissions trading scheme, just grow and grow as well. Manufacturing has lost 3,200 jobs; construction has lost 10,600 jobs. Youth unemployment has also
climbed massively in Queensland. The figure for under 25s looking for full-time work in Queensland has gone from 8,900 in February last year to 20,500 in February 2009. Yes, this is a complex problem. It needs an intelligent answer. *(Time expired)*

Question agreed to.

NOTICES

Presentation

**Senator Forshaw** to move on the next day of sitting:

That the Joint Standing Committee on Foreign Affairs, Defence and Trade be authorised to hold a public meeting during the sitting of the Senate on Thursday, 19 March 2009, from 10 am, to take evidence for the committee’s inquiry into human rights mechanisms and the Asia-Pacific.

**Senator Mark Bishop** to move on the next day of sitting:

That the Foreign Affairs, Defence and Trade Committee be authorised to hold an in camera hearing during the sitting of the Senate on Thursday, 19 March 2009, from 5 pm, to take evidence for the committee’s inquiry into the economic and security challenges facing Papua New Guinea and the island states of the southwest Pacific.

**Senator McGauran** to move on the next day of sitting:

That the Joint Standing Committee on Treaties be authorised to hold a private meeting otherwise than in accordance with standing order 33(1) during the sitting of the Senate on Tuesday, 17 March 2009, from 8 pm.

**Senator McEwen** to move on the next day of sitting:

That the time for the presentation of the report of the Environment, Communications and the Arts Committee on the Water Amendment (Saving the Goulburn and Murray Rivers) Bill 2008 be extended to 7 May 2009.

**Senator Moore** to move on the next day of sitting:

That the time for the presentation of the report of the Community Affairs Committee on the implementation of recommendations of committee reports on child migration and Australians who experienced institutional or out-of-home care as children be extended to 25 June 2009.

**Senator Ludwig** to move on the next day of sitting:

That the order of the Senate of 11 March 2009 establishing the Select Committee on Climate Policy be varied as follows:

Omit paragraph (2), substitute:

(2) That the committee consist of 10 senators, 4 nominated by the Leader of the Opposition in the Senate, 3 nominated by the Leader of the Government in the Senate, 1 nominated by the Leader of the Australian Greens, 1 nominated by the Leader of the Family First Party and 1 nominated by the independent senator.

**Senator Ludwig** to move on the next day of sitting:

That consideration of the business before the Senate on Tuesday, 17 March 2009 be interrupted at approximately 5 pm, but not so as to interrupt a senator speaking, to enable Senator Back to make his first speech without any question before the chair.

**Senator Hanson-Young** to move on the next day of sitting:

That the Senate—

(a) notes that:

(i) the Government’s second prop-up of $34 million to keep ABC Learning operating until 31 March 2009, is due to expire in 2 weeks time, and

(ii) of the 241 failed centres due to be sold or closed, to date only 65 have been sold;

(b) recognises that this crisis represents an opportunity for child care in Australia to be transformed from a market-driven industry to a vital community service and a government-supported first step in lifelong learning; and

(c) calls on the Government to immediately make available capital grants funds and operational costs to assist not-for-profit
child care providers in taking over the remaining centres.

**Senators Hanson-Young** and **Humphries**
to move on the next day of sitting:
That the Senate—
(a) expresses its deep regret at the two stonings in Mashhad, Iran, in December 2008;
(b) notes:
(i) reports received by Amnesty International highlighting that as many as eight woman are at imminent risk of being stoned to death for adultery in Iran, and
(ii) that Iran has one of the highest execution rates in the world, exceeded only by a more populous China; and
(c) calls on the Australian Government to immediately urge the Iranian authorities to cease the punishment of death by stoning and halt all remaining executions of those sentenced to death.

**Senator WORTLEY** (South Australia)

(4.18 pm)—On behalf of the Standing Committee on Regulations and Ordinances, I give notice that, 15 sitting days after today, I shall move:

No. 1—That Instrument number CASA 627/08 made under regulation 208 of the Civil Aviation Regulations 1988; be disallowed.

No. 2—That the Other Grants Guidelines (Research) 2008 made under section 238-10 of the Higher Education Support Act 2003, be disallowed.

I seek leave to incorporate in Hansard a short summary of the matters raised by the committee.

Leave granted.

The document read as follows—
Instrument No. CASA 627/08
This instrument permits Tiger Airways Australia Pty Ltd to operate Airbus A320 series aircraft with one cabin attendant for every 50 passenger seats.

The Committee notes that previously, in relation to another airline operator, different instruments were made for a particular series of aircraft with a maximum seating capacity of 180 people when carrying fewer than 50 passenger seats, and when carrying more than 50 passenger seats. The Committee would appreciate your advice as to why this distinction has not been made in this instance.

**Other Grants Guidelines (Research) 2008**
This instrument revokes and remakes the Other Grants Guidelines.

Appendix 2A to these Guidelines specifies the conditions that apply to a Commercialisation Training Scheme grant. Clause 7 deals with rights of access to the premises and records of a grant recipient. Subclause 7.1 states that access must be given to certain prescribed officers, including “any person authorised in writing by the Secretary”. This appears to be a wide discretion.

Subclause 6.3 in Appendix 2A states that the Commonwealth’s right to be indemnified is “in addition to, and not exclusive of” any other right, power or remedy provided by law. The words “not exclusive of” are, presumably, intended to mean “does not exclude”, rather than implying that the Commonwealth’s right is inclusive of other rights.

The Committee has written to the relevant ministers seeking advice on the above matters.

**Senator FAULKNER** (New South Wales—Special Minister of State and Cabinet Secretary) (4.19 pm)—I give notice that, on the next day of sitting, I shall move:

That the provisions of paragraphs (5) to (8) of standing order 111 not apply to the following bills, allowing them to be considered during this period of sittings:
Appropriation Bill (No. 5) 2008-2009
Appropriation Bill (No. 6) 2008-2009
Australian Business Investment Partnership Bill 2009
Australian Business Investment Partnership (Consequential Amendment) Bill 2009
Commonwealth Electoral Amendment (Political Donations and Other Measures) Bill 2009
Social Security Amendment (Liquid Assets Waiting Period) Bill 2009
Social Security and Veterans’ Entitlements Amendment (Commonwealth Seniors Health Card) Bill 2009

I table statements of reasons justifying the need for these bills to be considered during these sittings and seek leave to have the statements incorporated in Hansard.

Leave granted.

The statements read as follows—

Appropriation Bill (No. 5) 2008-2009
Appropriation Bill (No. 6) 2008-2009

Purpose of the bills
These Supplementary Additional Estimates Appropriation Bills request legislative authority for further expenses to be incurred in 2008-2009 in relation to the Building Our Nation Plan announced on 12 December 2008: a range of measures to complement the Nation Building and Jobs Plan and other urgent expenditure.

Reasons for Urgency
Early passage of these bills is required because the 2008-09 funding requirement arising from these measures is too large for the existing appropriations and the Advance to the Finance Minister. Should passage not be granted in the 2009 Autumn sittings, initiatives to be funded by the bills may be deferred or significantly delayed and other activities may exhaust existing funding before the next opportunity to propose appropriation bills.

(Circulated by authority of the Minister for Finance and Deregulation)

Australian Business Investment Partnership Bill 2009
Australian Business Investment Partnership (Consequential Amendments) Bill 2009

Purpose of the bills
The Australian Business Investment Partnership Bill 2009 introduces measures to establish the Australian Business Investment Partnership Limited (ABIP) and to create appropriations for the Government’s investment in the company and the Government guarantee on any additional debt the company issues.

The Australian Business Investment Partnership (Consequential Amendment) Bill 2009 amends paragraph 911A(2)(j) of the Corporations Act 2001 by listing the Australian Business Investment Partnership Limited in furtherance of its objects under the Australian Business Investment Partnership Act 2009, as exempt from the requirement to hold an Australian financial services licence.

Reasons for Urgency
Introduction and passage of the bills is sought in the 2009 Autumn sittings to ensure that ABIP is operational at the earliest possible opportunity.

Global credit conditions are likely to remain tight in 2009. Foreign banks play an important role in the Australian financial system, but global economic conditions mean that some foreign banks may consider withdrawing funding from viable Australian businesses, creating a funding gap. Other lenders, including second tier banks, may also consider withdrawing funding from viable Australian businesses.

Given its highly leveraged nature, the impact of any funding gap is likely to be felt first in the commercial property sector. Withdrawal of finance from viable commercial property projects may force businesses to sell assets in a depressed market, leading to a more rapid and disorderly fall in prices than would otherwise occur, resulting in adverse macroeconomic consequences.

Accordingly, on 24 January 2009 the Prime Minister announced that the Government will establish ABIP as a temporary contingency measure to provide support for viable commercial property assets where there is a withdrawal from refinancing arrangements due to abnormal conditions in global capital markets (Building Australia’s future – a $4 billion Australian Business Investment Partnership to support Australian jobs). The Prime Minister also announced that the Government and Australia’s major banks would work together with a view to having ABIP operational by March 2009.
ABIP will be initially funded at $4 billion, with the Government contribution of $2 billion matched by a $0.5 billion contribution from each of the four major banks. The initial $4 billion funding may be extended via the issuance of Government guaranteed debt to create up to $30 billion in financing.

If the bills are not passed in the 2009 Autumn sittings, there will be no provision to support the commercial property assets of viable Australian commercial property projects, and the jobs and businesses they support, should financiers withdraw funding because of unrelated and uncontrollable fluctuations in global credit markets.

(Circulated by authority of the Treasurer)

Commonwealth Electoral Amendment (Political Donations and Other Measures) Bill 2009

Purpose of the bill
The bill primarily amends the funding and disclosure provisions of the Commonwealth Electoral Act 1918 (the Electoral Act). The bill contains measures implementing commitments made in the 2007 federal election campaign as well as measures addressing recommendations made by the Joint Standing Committee on Electoral Matters (JSCEM) following its inquiry into the Commonwealth Electoral Amendment (Political Donations and Other Measures) Bill 2008 (the 2008 Bill).

The amendments in the bill will:

- reduce the disclosure threshold from ‘more than $10,000’ (indexed to the Consumer Price Index annually) to $1,000 (non-indexed);
- ensure that for the purposes of the $1,000 threshold and the disclosure of gifts, related political parties are treated as the one entity;
- make unlawful the receipt of a gift of foreign property by political parties, candidates and members of a Senate group. It will also be unlawful in some situations for associated entities and people incurring political expenditure to receive a gift of foreign property;
- extend the current prohibition on the receipt of anonymous gifts above the threshold to prohibit the receipt of all anonymous gifts above $50 by registered political parties, candidates and members of a Senate group. It will also be unlawful in some situations for people and candidates to incur political expenditure if an anonymous gift above $50 enabled that political expenditure. The receipt of an anonymous gift of $50 or less may only be received in two specified situations;
- provide that public funding of election campaigning is limited to declared expenditure incurred by the eligible political party, candidate or Senate group, or the sum payable calculated on the number of first preference votes received where they have satisfied the 4% threshold, whichever is the lesser;
- add, with specified restrictions, five additional categories of electoral expenditure. These additional categories are the rental of premises, the payment of additional staff, the purchase and hire of office equipment, consumables and running costs for that equipment and travel and accommodation;
- prevent sitting members of Parliament from claiming electoral expenditure if allowances, entitlements or benefits received by a member of Parliament in his or her capacity as a member are used to meet that expenditure;
- exempt unendorsed candidates and unendorsed members of Senate groups from reporting against the four new categories of electoral expenditure;
provide for the recovery of gifts of foreign property that are not returned, anonymous gifts that are not returned and undisclosed gifts; and

introduce new offences and penalties related to the new measures and increase the penalties for existing offence provisions.

**Reasons for urgency**

The proposed Bill requires introduction and passage in the Autumn 2009 sitting period to give sufficient notice to all those involved in election campaigning – from parties and candidates, Senate groups and associated entities, through to third parties – to amend their record-keeping practices and plan their activities in accordance with the new rules scheduled to come into effect on 1 July 2009.

Introduction and passage of the bill in the Autumn sittings will also provide the Australian Electoral Commission with reasonable time to develop new information technology systems and train staff ahead of the changes, as well as informing stakeholders of the new obligations.

In order to increase transparency and accountability in the funding and disclosure scheme, the bill proposes the introduction of six-monthly reporting combined with shorter deadlines to furnish returns. It is far more efficient if this six monthly reporting commences at the beginning of a new financial year on 1 July, rather than half way through, on 1 January, given the financial-year basis of current reporting.

(Circulated by authority of the Special Minister of State)

**Social Security Amendment (Liquid Assets Waiting Period) Bill 2009**

**Purpose of the bill**

The bill implements new measures to double the “maximum reserve” to reduce the number of people subject to and the length of a liquid assets waiting period (LAWP), as recently announced by the Government.

The bill also excludes the surrender value of life insurance policies from the concept of liquid assets for social security purposes.

**Reasons for Urgency**

The amendments in the bill must be passed before the end of the 2009 Autumn sittings of Parliament to allow for implementation on 1 April 2009. This will ensure the commencement of these measures align with the commencement of related measures in the *Household Stimulus Package (No. 2) Act 2009*.

(Circulated by authority of the Minister for Employment and Workplace Relations)

**Social Security And Veterans’ Entitlements Amendment (Commonwealth Seniors Health Card) Bill 2009**

**Purpose of the bill**

The bill provides for adjusted taxable income for the Commonwealth seniors health card to include income from a superannuation stream with a taxed source (gross superannuation) and income salary sacrificed to superannuation.

**Reasons for Urgency**

Passage of the bill in the 2009 Autumn sittings would enable commencement on 1 July 2009, as part of the Budget strategy.

The seniors health card legislation needs to be in place to give Centrelink and the Department of Veterans’ Affairs the authority to gather the required income information from customers by May 2009 to enable implementation from 1 July 2009.

The information to be gathered is new information that has not been requested previously from this customer group and all cardholders will be required to reply, regardless of whether or not they have the relevant income, increasing the volume of cases to be handled. Once the information is gathered, the agencies will need time to process all the replies for a 1 July 2009 implementation.

(Circulated by authority of the Minister for Families, Housing, Community Services and Indigenous Affairs)

**Tax Laws Amendment (2009 Measures No. 1) Bill 2009**

**Purpose of the bill**

This bill will:
amend the income definitions used to determine eligibility for particular tax programs to include reportable fringe benefits;

amend the income definitions used to determine eligibility for relevant tax and transfer system programs to include net financial investment losses, and net rental property losses where appropriate;

amend the definitions of income used to determine eligibility for relevant government financial assistance programs to include certain salary sacrificed contributions to superannuation;

tighten the eligibility for the dependency tax offsets;

improve the operation of the unclaimed money arrangements and facilitate the payment of temporary resident superannuation to the Australian Government; and

allow a fixed percentage variation of quarterly PAYG instalments for quarterly payers who pay on the basis of GDP-adjusted notional tax instalments four times a year.

Reasons for Urgency
The measures in this bill include four 2008-09 Budget measures, a measure announced as part of the December 2008 ‘Nation Building’ package and another high priority measure. The measures apply from 2 March 2009 to 1 July 2009. Public expectations are that the Government will deliver the measures as early as possible. A delay in delivery will create uncertainty in respect of business planning decisions.

(Circulated by authority of the Treasurer)

COMMITTEES
Electoral Matters Committee
Meeting
Senator FARRELL (South Australia) (4.20 pm)—by leave—On behalf of the Joint Standing Committee on Electoral Matters, I move:

That the Joint Standing Committee on Electoral Matters be authorised to hold a public meeting during the sitting of the Senate on Tuesday, 17 March 2009, to take evidence for the committee’s inquiry into the 2007 Federal Election, including the Commonwealth Electoral (Above-the-Line Voting) Amendment Bill 2008.

Question agreed to.

NOTICES
Postponement
The following item of business was postponed:
Business of the Senate notice of motion no. 1 standing in the name of the Leader of the Australian Greens (Senator Bob Brown) for today, proposing a reference to the Economics Committee, postponed till 17 March 2009.

FOOD SAFETY (TRANS FATS) BILL 2009

First Reading
Senator SIEWERT (Western Australia) (4.21 pm)—I move:

That the following bill be introduced: A Bill for an Act to prohibit the addition of synthetic trans fatty acids to food, and for related purposes.

Question agreed to.

Senator SIEWERT (Western Australia) (4.21 pm)—I present the bill and move:

That this bill may proceed without formalities and be now read a first time.

Question agreed to.

Bill read a first time.

Second Reading
Senator SIEWERT (Western Australia) (4.22 pm)—I table the explanatory memorandum relating to the bill and move:

That this bill may proceed without formalities and be now read a first time.

Question agreed to.

Bill read a first time.

Second Reading
Senator SIEWERT (Western Australia) (4.22 pm)—I seek leave to have the second reading speech incorporated in Hansard.

Leave granted.

The speech read as follows—

The Food Safety (Trans Fats) Bill 2009 aims to reduce the Australian public’s exposure to unsafe synthetic trans fatty acids, which are known to the public as ‘trans fats’.
Synthetic trans fatty acids are non-naturally occurring fats formed by the hydrogenation of liquid vegetable oils to make them solidify. They are distinct from the naturally occurring trans fatty acids in some foods, such as meat and dairy products. Synthetic trans fats are added to certain foods to increase shelf life and improve texture. Fast foods, such as chips, chicken nuggets and pizzas, packaged snacks and bakery products such as biscuits, cakes, pies and doughnuts are most commonly affected.

Scientific evidence shows that synthetic trans fatty acids significantly increase blood cholesterol levels. They are more harmful than saturated fats, which increase ‘bad’ cholesterol (low-density lipoprotein), as they simultaneously decrease ‘good’ cholesterol (high-density lipoprotein). This significantly increases the risk of coronary heart disease, which kills tens of thousands of Australians every year. A major study into the health effects of trans fats by Mozaffarian et al in the New England Journal of Medicine in April 2006 found:

On a per-calorie basis, trans fats appear to increase the risk of coronary heart disease more than any other macronutrient, conferring a substantially increased risk at low levels of consumption (1 to 3 percent of total energy intake). In a meta-analysis of four prospective cohort studies involving nearly 140,000 subjects, including updated analyses from the two largest studies, a 2 percent increase in energy intake from trans fatty acids was associated with a 23 percent increase in the incidence of coronary heart disease . . .

The former President of the Australian Medical Association has echoed this conclusion, noting in November 2006 that:

Trans fats appear to increase the risk of coronary heart disease more than any other macronutrient. They may increase the risk of sudden death from a heart attack, and are associated with diabetes.

He went on to call for the immediate mandatory labelling of food containing trans fats while a complete ban is implemented. The AMA renewed this call last year in the context of recommending measures to reduce obesity in Australia.

Australians have good reason to be concerned about unregulated quantities of trans fats in our food. The Australian Institute of Health and Welfare reports that one in two Australian adults are overweight or obese. According to the Heart Foundation, cardiovascular disease is the biggest killer of Australians, accounting for 34% of all deaths in this country in 2006 and killing one person in Australia nearly every 10 minutes.

A number of countries have responded to this public health risk by regulating the use of trans fats. In Denmark it has been illegal to sell oils and fats containing more than 2% trans fats since 2004. In the USA, nutrition labels must declare levels of trans fats that exceed 0.5 grams per serve. By the beginning of next year, California’s restaurants will be prohibited from selling margarines, oils, and shortening that contain more than half a gram of trans fat per serving. Bakery products must be included by the following year. New York’s Board of Health has implemented a similar restriction.

Yet in Australia, trans fats remain almost entirely unregulated. The Australia New Zealand Food Standards Code provides that information on trans fats must be included on food labels only if ‘a nutrition claim is made in respect of cholesterol or saturated, trans, polyunsaturated or monounsaturated fatty acids; or omega-3, omega-6 or omega-9 fatty acids’. If the manufacturer chooses not to make any such claims, they need not alert the consumer to the presence of trans fats.

The only other government-level response to the issue was the National Collaboration on Trans Fats established by the previous Federal Government. This body found that the average intake of trans fats by Australians and New Zealanders was below the 1% recommended by the World Health Organisation, concluded that no regulation was necessary, and recommended that the issue be reviewed in 2009. It seems a strange approach to wait until the consumption of a known harmful substance increases before intervening. Focusing on the average rate of consumption also ignores the fact that consumption may be far higher in some individual cases. Respected Australian nutritionist, Dr Rosemary Stanton, noted that ‘trans fats can be as high as 40 per cent in some fast foods.’ Clearly, people who eat a lot of these
foods will be consuming well in excess of the average intake of trans fats.

To remedy this situation, the present Bill employs the corporations power to prohibit constitutional corporations from manufacturing, distributing, offering for sale, selling or otherwise trading in food containing synthetic trans fatty acids. It also prohibits persons from manufacturing, distributing, offering for sale, selling or otherwise trading in food containing synthetic trans fatty acids for, to or on behalf of constitutional corporations. Civil penalties apply.

Given the important public health issues at stake and the inadequate existing regulatory regime, it is important to safeguard the health of Australians until such time as the States and Territories decide to act. The bill expressly provides that State or Territory legislation may override the bill, leaving State and Territory governments with the option to choose to adopt a different regulatory response. In the interim, this bill will ensure the health of Australians is not harmed by trans fats.

I commend this bill to the Senate.

Senator SIEWERT—I seek leave to continue my remarks later.

Leave granted; debate adjourned.

AUSTRALIAN BROADCASTING CORPORATION

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (4.22 pm)—I move:

That the Senate—

(a) notes the vital role played by the Australian Broadcasting Corporation (ABC) in promoting high quality, innovative local content in broadcast media to the broad spectrum of Australians throughout the nation;

(b) recognises the achievements of the ABC in developing new digital media services to better meet the needs of the Australian audience; and

(c) calls on the Government to increase funding to the ABC in the next funding arrangement to ensure that the ABC continues to develop new and innovative prod-

ucts in a range of areas including local drama and innovative arts and youth content.

Question agreed to.

COMMITTEES

Corporations and Financial Services Committee

Reference

Senator IAN MACDONALD (Queensland) (4.23 pm)—I move:

That the following additional matter be referred to the Parliamentary Joint Committee on Corporations and Financial Services as part of that committee’s inquiry into financial products and services in Australia, adopted by the committee on 25 February 2009 for inquiry and report by 23 November 2009:

The committee will investigate the involvement of the banking and finance industry in providing finance for investors in and through Storm Financial, Opes Prime and other similar businesses, and the practices of banks and other financial institutions in relation to margin lending associated with those businesses.

Question agreed to.

MATTERS OF PUBLIC IMPORTANCE

Queensland Oil Spill

The ACTING DEPUTY PRESIDENT (Senator Forshaw)—The President has received a letter from Senator Bob Brown proposing that a definite matter of public importance be submitted to the Senate for discussion, namely:

The recent oil and chemical spill from the Pacific Adventurer on the south-east Queensland coast.

I call upon those senators who approve of the proposed discussion to rise in their places.

More than the number of senators required by the standing orders having risen in their places—

The ACTING DEPUTY PRESIDENT—I understand that informal arrangements have
been made to allocate specific times to each of the speakers in today’s debate. With the concurrence of the Senate, I shall ask the clerks to set the clock accordingly.

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (4.25 pm)—A major environmental catastrophe, on a global scale, is still unfolding on the ecologically significant coast of southern Queensland. It comes from the fact that the motor vessel Pacific Adventurer, of more than 100 metres with some 50 containers of ammonium nitrate stored on and above its decks, sailed north from Newcastle after there had been a great deal of publicity about category 5 Cyclone Hamish off the Queensland coast and continued to steam north into seas affected by that cyclone. Last Wednesday morning, at approximately 3.20, 31 of the 50 containers off the deck of the ship went into the ocean. I do not know whether that was by deliberate intent to save the ship or whether it was because the containers came loose and were effectively catapulted into the ocean. One of those containers then rammed into the ship, smashing part of its hull and releasing fuel oil into the ocean for some seven nautical miles, or 13 kilometres, off Cape Moreton. The details of what happened then are unclear, but we do know that what was then thought to be a 20-tonne spill of this toxic oil has become, according to the Deputy Premier of Queensland, a 250-tonne spill of oil. Most of that is on the pristine beaches of Moreton Island, Bribie Island and the Sunshine Coast to the north.

The question is: why on earth did this ship leave Newcastle and steam into what we now know to be conditions it could not handle as a result of the cyclone coming south? Its command and its company and the maritime authorities in Australia knew before the ship left Newcastle that there was a category 5 cyclone off the Queensland coast. I have not been able to ascertain whether the ship was due to call into Brisbane, but anyway it was en route to Indonesia with some 300 or 500 tonnes of ammonium nitrate to be used as part of an explosive facility for the Indonesian mining industry.

The first questions one might ask are: how much ammonium nitrate is being sold to Indonesia, under what circumstances and with what assurances of safety, given the history of the abuse of ammonium nitrate that there may have been in Indonesia? This is, of itself, a serious question that must go to the authorities. That said, how could a ship that was sailing to Indonesia sail directly into the path of a cyclone which is at the top category of seriousness? According to the Queensland government:

During cyclone activity, ships are ordered out to sea away from the port. Being out to sea is the safest place for a large ship to be during cyclone activity. The ship was travelling under normal coastal shipping protocols within ship navigation lanes. The conditions at sea were not considered to be significant enough to prevent commercial shipping movements.

I ask: ‘not considered’ by whom? There are two entities here: one is the national shipping authorities and the other is the shipping corporation itself, the owners of the ship.

On the second matter, if you look at the details about this ship, you will find that they are proud to announce that they have very sophisticated communications with head office around the clock. I presume that means in London, although it may mean in Hong Kong. Whatever the case, the shipping company itself was fully aware of this ship, its cargo, that cyclone and these circumstances presumably on a minute by minute basis, but it did not act to prevent this disaster from unfolding. The same may be said of the national authorities. Who was monitoring this ship? Who allowed it to leave Newcastle loaded with dangerous chemicals and a huge supply of oil and sail into those foul weather
conditions? I suspect no-one. I suspect that national shipping surveillance is such that it is simply left to the commercial operators to make these decisions. That is unforgivable and unacceptable for this nation, with its 12,000 kilometres of fantastic coastlines, in an age where we have seen repeated oil and chemical spills from the oceans end up on the shores of this country. This is 20 years after Exxon Valdez, and it seems that the government—or at least the authorities over which it has command—were asleep when this ship left Newcastle and were asleep when it sailed into the cyclone affected waters.

I went to Moreton Island on Friday and saw there the massive oil spill washing up into the rocky canyons below Cape Moreton and then onto the adjacent beach. From the helicopter, I saw in the 20-kilometre spill spreading along the coastline perhaps a dozen or 20—maybe there were more than that, I do not know, but I doubt it—people with rakes and buckets. This was 2½ days after the spill occurred and at least two days after the oil spill had been noted in the ocean by a number of aircraft. We have to ask if that is okay. The answer is no. There has to be some form of culpability that there could have been so little activity in the wake of a known environmental disaster. The shipping company said 20 or 30 tonnes at the outset, and we now know from the Deputy Premier of Queensland that it was 10 times that amount. All of this will be subject to an inquiry.

This ship was heading up past the Great Barrier Reef. Where this oil spill has occurred is a total disaster. There are at least people there with buckets. These are terrific, good-hearted people. I spoke to them. The word that kept coming up was ‘despondent’, because they were dealing with something far bigger than their wherewithal, but they wanted to protect the ecosystem on Moreton Island. I have no doubt the same applied elsewhere. With this large amount of oil coming ashore, why was there not much faster action? I am told there are 300 people on the island today, but why was that not so on Friday?

Senator Brandis—Good question. Who should have been doing that?

Senator BOB BROWN—This is a serious matter, Senator.

Senator Brandis—It is for the Queensland government, too.

The ACTING DEPUTY PRESIDENT (Senator Forshaw)—Senator Brown should be heard without interjection or comment from the sideline.

Senator BOB BROWN—The other thing that is extraordinarily obvious is that removing the oil from the sand is a delicate operation. I saw bulges under the oil—it is thicker than molasses—where crabs and other creatures were building up pressure to try to get out of the choking envelope. They burst out and then were faced with tens of metres of oil in all directions—no escape for them. The quicker the oil is removed from the beaches, the better for the surviving ecosystem, but it took too long to get the required number of people into place, and there were volunteers by the thousand who wanted to help.

The other question that comes is where the appropriate machinery for cleaning up Australia’s beaches is. One thing that needs to come out of this is a specialised piece of equipment which is able to take the oil off the top and remove it with minimal skimming of sand. You cannot put a grader in there. These are very pertinent questions for the Commonwealth to be responding to. I have seen no comprehensive response from either the Minister for Infrastructure, Transport, Regional Development and Local Government or the Minister for Agriculture, Fisheries and Forestry. I am out of time here,
but what we do know is that the effect of this spill is going to go on for months, if not years. *(Time expired)*

Senator STERLE (Western Australia) (4.35 pm)—I rise to make my comment on this MPI today, but before I do I want to make it very clear that, from the government’s side of the benches here in this chamber, this really is a very important issue to the maritime security of Australia. The saddest part is that, unfortunately, it will be politicised today. There is no doubt about that. I am not belittling the comments of Senator Brown; it will be from those opposite.

Senator Brandis—Don’t you think the behaviour of the Queensland government is a legitimate subject?

Senator STERLE—They will not be able to help themselves, because there is an election going on in Queensland.

The ACTING DEPUTY PRESIDENT (Senator Forshaw)—Senator Brandis, would you cease interjecting. If you wish to participate in the debate, you can put yourself on the list of speakers.

Senator Faulkner—You are aware—

The ACTING DEPUTY PRESIDENT—Excuse me. That is not an invitation for all senators to start talking across the chamber, and it is disorderly for you, Minister, to interject during my pauses.

Senator STERLE—As I was saying before I was rudely interrupted by someone who is not even on the speakers list from that side—a Queensland senator, I must add—it will be politicised. Unfortunately, that will be their nature because there is a state election going on in Queensland. They will not be able to help themselves. They will find an opportunity to attack not only the Queensland government but also the fine women and men who are helping in the clean-up situation they are facing there. I will let everyone else make that decision when they hear those on the opposition benches trying to politicise this very dire situation that we have in Queensland. I do want to clarify one thing for you, Senator Brown. You talked about buckets and shovels—I made some quick notes on a piece of paper. You also went on to talk about specialised machinery, which I am glad—

The ACTING DEPUTY PRESIDENT—Senator Sterle, you will respond to Senator Brown’s point through the chair.

Senator STERLE—I certainly will. I was reading an article in the Queensland local paper, the *Courier-Mail*, this morning. It actually quoted Maritime Safety Queensland’s General Manager Mr John Watkinson, who said yesterday that two filtering machines which were being supplied to help clean up the mess were on their way to the island. Further on, there was an interview in the same article, on page 5, by Mr Brian Williams with Moreton Bay Regional Council Mayor Allan Sutherland. He was talking about cleaning up, and he said: ‘We did not use heavy machinery as much as we thought. We found the oil was lightly dispersed and heavy machinery was just putting a lot of it back into the sand. It ended up that rakes and shovels were best.’ That is just to clarify that.

Some of Senator Brown’s other statements, I think, have to be challenged. I cannot reiterate enough that this is a very serious situation, and the Queensland government is onto it. If I remember reading rightly, it was reported at 3.15 am. The ship contacted AMSA and by eight o’clock the national plan was well underway. Through you, Mr Acting Deputy President: Senator Brown, I know that you spent most of your 10 minutes absolutely haranguing us about why that ship headed out to sea. It is a very good question. Why did that ship go out to sea? Before senators opposite interject, I think they
should take note that there are laws of the sea that have been in place for the 12 years that their government was in power. I would hope they would not belittle the situation by trying to attack this government, which has only been in power for some 17 or 18 months. But, unfortunately, Australia’s powers to regulate foreign ships in Australian waters are subject to international conventions. Senator Brandis would be well aware of where I am coming from in this argument. Even though the ship was travelling from Newcastle to Brisbane, it was not carrying coastal cargo and had no permit to carry coastal cargo; it was going on to Indonesia from Brisbane.

Senator Ian Macdonald—It’s the old cabotage argument.

Senator STERLE—Senator Macdonald will have his turn, and I welcome it. You were actually a minister too in that last government for 12 years. I did not see you standing up here banging on about this, but I am sure that you will belittle this argument, this very important situation that we have—

The ACTING DEPUTY PRESIDENT—Please ensure that you direct your remarks through the chair.

Senator Williams interjecting—

The ACTING DEPUTY PRESIDENT—Senator Williams, I do not need any advice or assistance from you; just be quiet.

Senator STERLE—I will say, through you, Mr Acting Deputy President, that it will be belittled and it will be politicised. They cannot help themselves on that side of the chamber. They see every opportunity to have a go, because there is a Queensland election on. As I was saying before that, through you, Mr Acting Deputy President, the effect of these conventions is that Australia cannot hamper or impair the right of passage of foreign vessels through its territorial waters. Just to clarify a few of those claims or questions from Senator Brown, under international maritime conventions, AMSA—the Australian Maritime Safety Authority—has the ability to inspect and detain foreign flagged ships visiting Australian ports if they are found to have major safety or environmental deficiencies and are therefore unseaworthy or substandard. AMSA undertakes risk based assessment of the 3,000-odd ships entering Australian ports annually. There are no powers in Commonwealth transport legislation that would allow AMSA to prevent a foreign vessel departing an Australian port in rough weather. Through you, Mr Acting Deputy President, that is to clarify some of Senator Brown’s remarks.

It is very important to Australia’s economy and to the reputation of its maritime industry that we rely heavily on the safe and secure passage of billions of dollars of imports and exports in and out of this country. As we know, and I will just reiterate a few points, on Wednesday, 11 March at approximately 3.15 am, AMSA received a report from the Brisbane harbour control that a ship reported it had lost 31 containers in rough seas eight nautical miles east of Moreton Island. It was a 185-metre container ship called the Pacific Adventurer. It suffered a rupture to its fuel tanks as a result of the containers falling overboard. As I said earlier, by 8.30 am, Maritime Safety Queensland had established an incident response centre and had assumed control of the response activity. The Australian Maritime Safety Authority issued a broadcast alert for shipping in the area. The national plan for combating oil pollution was put into effect, and the resources were made available to the Queensland government.

Just briefly, the national plan is an integrated, cooperative framework between the federal, state and territory governments and includes the oil, chemical, shipping and exploration industries. It has proven its effec-
tiveness over the last 30 years, having been established in 1973. The national plan covers all aspects of marine pollution response, which includes response planning, stockpiling response equipment at strategic locations around Australia’s coast, training teams of response personnel, coordinating national training programs and conducting regular simulated pollution exercises involving all parties to the national plan. I would go back to Senator Brown’s comments. I think the wording was, and correct me if I am wrong, that there were ‘thousands of volunteers waiting’. There was also an article in today’s Courier-Mail which said that Queensland officials were not seeking thousands of volunteers. With the greatest of respect, they wanted to leave it up to the professionals. I just think that has to be made clear.

Australia’s response to marine pollution is characterised by a cooperative approach between federal agencies, state and territory agencies and industry, with well-developed consultative mechanisms on risk management and mitigation strategies in place. In the current situation, the ship’s crew first advised through AMSA that some 20 to 30 tonnes of heavy fuel was lost. For those who do not appreciate metric volumes and tonnes—though I certainly know what 20 to 30 tonnes means—to make it quite simple, it is just over a semitrailer load of fuel. It is even less than that which would be carted by a B-double.

It does not matter if it is only a cupful. That is probably a throwaway line, but no spill is any good at all—let us make that very clear. But 20 to 30 tonnes, if I can put that into context, is one tri-axle barrel going down the road behind a prime mover. It is significant, but you would not think it would cause a significant threat to the coastline. But what the Queensland officials found out a little bit later was that it was about 218 tonnes. Senator Brown said 250 tonnes, but whether it was 250 tonnes or 218 tonnes does not matter: that is a hell of a lot of tonnes of fuel to be lost—10 times more than what was reported. The Queensland government’s response to the serious oil spill affecting the eastern coastline of Moreton Island and ocean beaches to the north of Moreton Island has been carried out professionally and rapidly—forget the ranting that may follow. I hope it does not; I hope this is not politicised; I hope that this is not used by the opposition as an opportunity to rant, because there is an election coming up in Queensland on Saturday. But I will find out as I listen to the rest of the contributions from those opposite.

From the start, the Queensland government took the most responsible course of action in response to such an event and ensured that the clean-up was under the control and direction of those most skilled in dealing with such emergencies. That was the responsible course of action and that was what was done. As well, the Queensland government immediately deployed the resources of all its relevant agencies to deal with the oil spill as a whole-of-government effort. The work is proceeding rapidly under the direction of the relevant experts. Detailed work has already commenced on investigating the events leading up to and contributing to the cause of the spillage. Already, substantial areas of the affected coastline have been cleaned up—fortunately. The Queensland government and its agencies did not cause the spillage but they have responded magnificently with the necessary clean-up operation. They, the volunteers and the experts concerned, deserve our greatest congratulations for their efforts.

It is quite disgraceful for members of parliament to pull stunts like this to try and get the caption or the highlight of the day in the Senate. The Senate’s time could be spent investigating other issues. We know that
there is certainly quite a bit of legislation that we have to work through.

Senator Boswell—This is a disgraceful contribution.

Senator STERLE—I will take that interjection from Senator Boswell, from the Nationals. He said that it was disgraceful. You are right; that is what I said, Senator Boswell. It is disgraceful that the Senate’s time is being wasted to try and politicise an unfortunate event in Queensland. Senator Boswell, it is not too often that I agree with you, but I congratulate you. I agree with you this time that it is a disgrace.

While I am on that, it was reported that Senator Brown flew over the affected area. I might be wrong, but I think that you were accompanying a Greens candidate at the time.

Senator Ian Macdonald—A Labor rat.

Senator Bob Brown—Acting Deputy President Forshaw, I rise on a point of order. I ask that that senator be asked to withdraw that comment. It was an identifiable member of parliament in Queensland who was accompanying me, and it is unparliamentary for the senator on my right to use that language.

Senator Ian Macdonald—If calling Ronan Lee a Labor rat is offensive to Senator Brown, I withdraw. I just thought that that is what the Labor Party called him.

The ACTING DEPUTY PRESIDENT—You are withdrawing the reference?

Senator Ian Macdonald—Yes.

Senator Bob Brown—Mr Acting Deputy President, I rise on another point of order. That was an objectionable and nasty procedure by this particular coalition senator. It was a disgrace to the Senate and he should be ashamed of himself.

The ACTING DEPUTY PRESIDENT—That is not a point of order, Senator Brown.

Senator STERLE—I must say that I am thoroughly enjoying this MPI today because not only have I agreed with Senator Boswell, from the Nationals in Queensland, but I have to agree with some of Senator Macdonald’s interjections from that side of the bench, too. It was not me who called him that. Obviously, you have touched a nerve. You have had similar problems in your party. The problem, unfortunately, is that if the Greens were interested in finding the real cause of the spillage they would have put the spotlight on what Howard government policies did to Australia’s maritime and shipping security and safety when it was in power. I would like to add that in the 12 years of the previous government’s reign, there were more things to worry about than a unionised workforce on the waterfront—that is very clear.

This event reinforces what many Australians with vast experience in working in the maritime industry have been saying for years: that the level of competence of foreign crews employed by many international shipping companies is of a standard which would not be accepted in Australia and should not be accepted in Australia. You can have low-skilled, low-wage foreign crews, but this can come at huge potential risk to the environment and to national security. This ship, the Pacific Adventurer, was carrying a large deck cargo of ammonium nitrate, as Senator Brown mentioned. I believe that it was heading off to Indonesia. But to say that we should cease all export of ammonium nitrate or that we should ban the shipping of ammonium nitrate to Indonesia is, Senator Brown, a little bit far out for my liking.

This ship left Brisbane while a cyclone was active off the coast of Brisbane. We said that. I hope I stated the reasons very clearly in my opening remarks. To state the bleeding obvious, I suppose, losing some 218 or 250 tonnes of crude oil and 30-odd containers overboard in one morning is quite a concern.
It is quite disgraceful that it happened. Fortunately, it is on the way to being cleared up. I seriously hope that the rest of the beaches in Queensland are cleared up sooner rather than later. I read an article that named all the beaches that had been opened, but I will leave that to my Queensland counterparts. I am sure that Senator Moore will help us out. I must admit that it is alarming to see how many of those pristine beaches were covered with the oil, but it is very comforting to know that the national plan has swung into operation. It is very comforting to know that there are literally thousands of people wanting to help clean up.

Unfortunately, situations like this do occur; it does not make us feel any better. But I really do take offence that all of a sudden it is the fault of a government—regardless of their political persuasion. How could it be the fault of the government that containers have fallen off a ship and that the ship was damaged leaving a massive oil slick on the Queensland coast? They are doing a great job and I urge senators opposite and Senator Brown of the Greens to at least focus on the effort by the volunteers and the fine job they are doing. (Time expired)

Senator IAN MACDONALD (Queensland) (4.52 pm)—At the present time, Queensland is confronted with what could be one of the greatest environmental disasters—for wildlife, for sea life and for the tourism and fishing industries—that our state has ever seen. It is a very serious matter and I am very pleased that Senator Brown has raised this. I agree with most of what Senator Brown said in his speech.

I cannot agree with the previous speaker, who gave a very eloquent political speech that was devoid of any fact. It is typical of the Labor Party these days to be all spin and no substance, and the speech from the Western Australian senator on this very important issue should just be disregarded in this debate. I would have thought that this issue was of such significance to Queensland that the Labor Party would have included all Queensland speakers on their list. A senator from Western Australia has, I am sure, a great interest in union matters and all the other things that are really quite irrelevant to this issue.

I am not blaming government. What I am absolutely concerned and angry about is how long it took to recognise the significance of this disaster and for something positive to be done. As soon as those containers went overboard we should have had a minesweeper up there looking for them—at the very moment that it happened. Yet I understand that the Attorney-General has announced, only in the last 10 minutes, that he is going to send a boat up there to look for those containers full of ammonium nitrate. This exemplifies my concern: it is too little and far too late.

Let us have a look at some of the facts. As previous speakers have said, this incident occurred at 3.12 am on Wednesday, 11 March. That was five days ago. At 5.15 on that day there was a report of the ship losing oil. The ABC reported it at 8.00 am. At 9.41 an officer of the Brisbane City Council—not the state government or the federal government—spoke to the state authorities about a ship that was leaking and losing containers. No request was made to the Brisbane City Council for any help. At 10 o’clock that day Maritime Safety Queensland, when meeting with the Brisbane City Council, advised that Queensland’s marine services were looking after the oil. The ABC reported it at 8.00 am. At 9.41 an officer of the Brisbane City Council—spoke to the state authorities about a ship that was leaking and losing containers. No request was made to the Brisbane City Council for any help. At 10 o’clock that day Maritime Safety Queensland, when meeting with the Brisbane City Council, advised that Queensland’s marine services were looking after the oil. At five o’clock that afternoon, Queensland’s emergency management advised the Brisbane City Council that the ship had struck a sandbar and that there was an oil slick from the ship to Caloundra. It took until four o’clock that afternoon for the Queensland government to even recognise that something had happened.
At six o’clock that night the Brisbane Lord Mayor, thankfully, contacted the Deputy Premier and the Premier to ask if he could do anything to help. He offered 300 Brisbane City Council workers who could get going immediately. He was told that they were not needed and that the Queensland government had everything under control—this was late on Wednesday afternoon. There is no evidence that the state government had at that time considered bringing in the specialist planes that are available on four hours notice under the relevant plan, which I will refer to later, to do something about the oil before it hit the beaches.

During the day we all thought that a recovery operation was underway, but it was not until five o’clock that night that the Queensland government released a statement saying that the oil had reached Moreton Island and had covered about 10 kilometres of coastline. An inquiry was made about how the clean-up operation was going and there was no indication that anything was happening—this was a day and a half later. In the evening, telephone calls were made to Maritime Safety Queensland confirming the extent of the spill, and then late on Thursday afternoon—a full one and a half days after the incident—the Queensland Premier eventually got around to making a disaster declaration. Did the state government then contact the Army to have them help? No, they did not. But, fortuitously, Brisbane City Council Mayor, Campbell Newman, did do that.

But it gets worse. A whole series of incidents happened throughout the next two days. The Brisbane City Council was there—and this is all on public record—with trained workers ready to move machinery. They kept offering help to the state government but were told: ‘Oh, it’s okay. Don’t bother about it; we’ve got it under control.’ Bob Abbot, Mayor of Maroochy council, having seen that there was a serious disaster in the making, put his big machinery onto the beach but was told by the state government to get it off because they would clean it up with buckets and spades! Do you believe it! Fortunately, Mayor Abbot, who is not known for taking a step back when it comes to any state government, put his machinery through and did something that may have helped. And so it goes on. Naturally, when I asked the government about this at question time I got no response from them because they are hiding something. It has been a stuff-up so far by the Queensland government and now it is a cover-up in which both the Queensland and Commonwealth governments are complicit.

The National Marine Oil Spill Contingency Plan, which I have here, is available on the internet. It sets out in detail what should be done and what the responsibilities are, and it was clearly a responsibility of the Queensland government to do something before this many days had elapsed. Senator Sterle tried to make a political case over this. I do not want to talk politics. I am just angry as a Queenslander that my state government took a day and a half to even get going and since then has fumbled away. Senator Brown in his contribution in this debate highlighted some of the deficiencies. He was careful not to criticise the Queensland government too much—and I can understand why, because it is a bit like the situation with the Traveston Crossing Dam. Senator Brown’s party is giving the Labor Party in Queensland—the current Queensland government—preferences in 12 crucial marginal state electorates which will mean that the Labor Party will be returned to government in Queensland and that the sort of environmental vandalism that the state government has been part of in this particular incident will continue into the future. And while Senator Brown has been canoeing down the Mary River telling all the people in that area that he is against the dam, giving preferences to the Labor Party in Queensland
to assure their re-election next Saturday will mean the Traveston Crossing Dam will be built.

Senator Brandis—What a hypocrite!

Senator IAN MACDONALD—The party is hypocritical, Senator Brandis. If you were serious about the Traveston Crossing Dam and about what is happening to Queensland beaches at this time, you would not as a party be preferring the current Labor government—the people who want to build the Traveston Crossing Dam; the people who have failed to address the problem that Senator Brown so rightly brought to the notice of this chamber by raising this matter of public importance. He was quite right to do that, but then he turns around and gives preferences to a party which has facilitated this environmental disaster and which will build the Traveston Crossing Dam. I hope Senator Brown is going to get up later and tell me I am wrong, that they are not going to preference the Labor Party in those 12 crucial marginal seats. I hope he will say that they will be preferring the party that has guaranteed to stop the Traveston Crossing Dam and that has done something about getting this disastrous mess on the Queensland beaches addressed. I hope Senator Brown will tell me that they have had a change of mind and will not worry about getting Labor Party preferences to support a defector in the electorate of Indooroopilly. I hope they will tell me I am wrong and that they are now not giving preferences to the Labor Party, the party that wants to build the Traveston Crossing Dam and that has not done enough on this disastrous environmental nightmare. I hope he will tell me that the Queensland Greens will now be preferring a party that will not build the Traveston Crossing Dam and that will actually do something at the right time when environmental disasters come onto our shores.

This is an enormously serious problem: the ramifications of the ammonium nitrate in the ocean and the oil spill could have an impact on Queensland’s ecology, its environment, its water quality, its tourism industry and its fishing industry for many years to come. What has the state government done? A day and a half after the disaster occurred it was still fiddling around the edges. Thank heavens for Campbell Newman. Thank heavens for the volunteers who got out there to try to do something. But all brickbats to a state government that sat on its hands and did nothing—and I might include the federal government in this. Here we have a media release, issued a couple of minutes ago, saying they are going to send a minesweeper up there to find these containers. It was five days ago that they fell off. When you see me getting angry, Madam Acting Deputy President, I am angry at the delay. It took five days to send the minesweeper to look for those containers. It took two days for the Queensland government to do anything about this monumental environmental disaster heading our way—and Senator Brown and his party will preference them next Saturday and make sure they are returned so we can have a repeat of this in the future.

I want to thank Campbell Newman. I want to thank all those Brisbane City Council professional workers who are out there helping and have been available to help for five days. I want to thank those in the state EPA who, now that the Premier has woken up, are out there doing something. I also want to thank particularly all those hundreds of volunteers who have offered their assistance to address this problem. I just wish their enthusiasm and their commitment had been shared by their state government, because if it had been, at the right time, we might not be facing quite the same environmental problem we are facing now. (Time expired)
Senator MOORE (Queensland) (5.05 pm)—It is such a relief that this is not a political discussion and I do thank Senator Macdonald for that entirely apolitical contribution he just made to the debate! This is an intensely serious issue for all Queenslanders, but not just for Queenslanders. I think it is a privilege that the concern about this issue is shared across the country. I know this area very well. It is a very beautiful, pristine piece of Queensland. The threat we are facing is serious and significant. But any attempt to pretend that there is not concern and not an appropriate response can only be coming from someone who is fighting over jurisdictional responsibilities. Consistently in the previous contribution to this debate we heard about ‘who told whom when’. The major issue is that after 3 am, on the morning when the Brisbane harbour authority advised that there was an issue in the area, the Australian Maritime Safety Authority received that information and, from that point on, the well-established cooperative national plan for handling these disasters was put into action. This national plan, Australia’s National Plan to Combat Pollution of the Sea by Oil and Other Noxious and Hazardous Substances—a quite direct title—reflects what should happen in such circumstances. From the moment that there was a complaint made, this plan came into effect. The plan states that the owning agency is the national agency—Mr Albanese’s agency; it comes under the transport portfolio—which works cooperatively with the relevant state, in this case Queensland. This plan has been around since about 1973 and is an acknowledgement, because of the deep concern that our country has for our environment, that should an incident occur—and unfortunately it did occur—there should be a national response which clearly delineates the responsibilities. In this case the national organisation had the overall authority, but the ownership for operations was with the Queensland state government. There had to be a communications strategy developed between those levels of government and then involvement by the relevant local government.

There seems to be a bit of an issue in Queensland and in Brisbane. The state government has been working with the Moreton Shire, under Mayor Sutherland, and not, I believe from what I have heard in the media and from Senator Macdonald, involving the Brisbane City Council in the way that they had hoped. That is really unfortunate and, in terms of how we can best cooperate, we need to involve all people. But making this into a barney over which organisation should own what defeats the purpose of having a national coordinated strategy which looks at the issues involved and the expertise which is available. One of the core aspects of the national plan is to see whether national expertise is available and develop the best response to the particular issues.

We should remember that on the Wednesday evening and the Thursday we were suffering gale force conditions off the Queensland coast. This area is now subject to a legal consideration and there will be reviews of what occurred, so I do not want to go into that area. But, as to the legal responsibilities, it seems to me that an accident occurred because of the conditions. We need to find out how we can clean up the area which has been affected. I share the concerns that have been raised by all speakers about what this could happen to the businesses that rely on tourism in that area to survive, along with concerns about fishing and the general enjoyment of that particular part of the world.
As a result of discussions with the Queensland state government, I can say that a lot of good work has been done and a number of areas are to an extent working through a quite successful clean-up process. Bribie Island, which many people know, has wonderful beaches and a large population. Currently, 95 per cent of that area has been declared clean. Certainly, they continue to watch the area because the oil is on the tide and so they have to watch that very closely.

Under the national plan, experts are visiting the area and keeping an eye on what is going on. This is what we would expect and this is in direct cooperation with the Moreton Bay Regional Council and the people who are working on the job.

The Sunshine Coast, slightly further north, is also affected, particularly around the Currimundi and Port Cartwright areas, where there are local clean-up processes underway. One kilometre of that area is defined as ‘heavily oiled’. They had to have special removal processes put in place because of the amount of oil there. Most beaches have now been opened. We have 16 now open on Bribie Island and on the coast and eight remain closed. Hopefully, during today—maybe during this debate—we will get information about further openings and people who are watching what is happening to their own area will be able to get advice about what is going on and what future action will take place.

Fortunately, the Maroochy and Mooloolah rivers are currently clear and they have booms on stand-by if they are required. It is a case, once again, of working effectively with the local regions—in fact with Mayor Abbot, whom Senator Macdonald referred to earlier. They are working with the local council there to see what is going on.

Moreton Island has been the focus of much of the media coverage in Queensland, most particularly because a lot of the oil was moving in there and the coastal area was deeply affected. It is also an important tourist area and there is great concern about the long-term effects of this natural disaster. As of today, 25 per cent of the Moreton Island area has been declared clear. Clean-up crews are focusing on Middle Creek in Cape Moreton, with Honeymoon Bay—an extraordinarily beautiful place—having been largely cleaned. There are still 25 kilometres of oiled beach on the eastern side to be cleared. Approximately 300 staff arrived this morning and are on the beach. That was this morning at about 10 am; I expect they are still there, because the work continues.

One of the core issues is making sure that the appropriate work is done and the appropriate process is followed. Senator Macdonald talked earlier about the issue of heavy machinery and scathingly referred to the national plan having a preference for using individuals with buckets and spades under certain circumstances. That was not a throw-away joke; it was a clear decision based on the level of the oil and the condition of the sand in those areas. You do not have heavy machinery going onto beaches without having the appropriate scientific approval that that is appropriate. The decision was made, particularly around some areas of sand and around some rocky areas, that it was much more effective, though focused intensely on individual personnel, to use individuals so that people would be able to work safely, there would be fewer accidents and that people would be able to see exactly what was going on. You do not rush in on these occasions, even with the best will in the world, without being part of a coordinated plan. That is why they are there.

We need to work cooperatively on this issue. It is a serious issue. It is unfortunate that it has occurred in any case but that is a part of working and living in an area which does
have transport working through it. However, it seems to me particularly unfortunate that, because of the timing of this issue just leading up to the state election, people have jumped in most quickly to make short-term political points rather than looking at what we should be doing, which is identifying the danger to this wonderful part of the world and then seeing how we can activate the formally agreed national plan which has been in our government for many years. It is not new; it involves a cooperative arrangement between levels of government, with the clear outcome to ensure that we can clear our beaches and our oceans as quickly as possible and then look at the legal implications of the people who are caught up in this process. The people, as we have heard through the media, who are working in tourism and fishing in the area are deeply concerned about their economic futures and livelihoods. That will need to have a response when we work through the immediate legal aspects of who is responsible and what will occur. All of that is part of the planning process. It would be better if we could concentrate on that and on clear outcomes rather than having a barney around whose jurisdiction it is and who should be doing what, with one intent: to see which political side people belong to.

I do not think that people who are actually working on the beaches care which political side they belong to. What they want to do is a clean-up. In terms of process, it would be something that all Queenslanders could respond to if they could hear clearly and openly what is going on, and what we are going to do in the future to save this area.

Senator BOSWELL (Queensland) (5.16 pm)—Moreton Island is a place that I know well. In fact, my house was one of the closest houses to Moreton Island. If I stood on my front veranda, there was no other house between me and Moreton Island, so I know it well. I have been over there many times and sailed around Moreton Bay. What has happened should never have happened. I do not know why anyone would try and take a ship into a category 5 cyclone. It has always been my impression that when there is a cyclone coming you go the other way and you get right out of it. No doubt, why a ship went into a cyclone with a 200-odd kilometre an hour wind will be revealed in the inquiry.

When this did happen, the ship was carrying 50 containers of ammonium nitrate, 31 broke loose and went over the side and no-one can discover them; they do not know where they are. The boat was then ordered into Moreton Bay. The Environmental Protection Agency ordered two tonnes of fertiliser to be hosed off the boat into the waters inside Moreton Bay. That needs to be queried as well. There has been an environmental disaster. The beach worms have gone, and whether they will come back again no-one knows. The pippis have gone. The culture in the mangroves has disappeared. Whether these will come back naturally or whether they will have to be induced to come back some other way is to be determined.

There is no question that this is politics. Under the Westminster system, when a disaster occurs the minister takes responsibility. That has never happened in Queensland. We have had disaster after disaster and we have never seen a minister say, ‘Well, it is my fault; I am responsible under the Westminster system. I will leave and I will resign.’ Where was Mr McNamara? He was in his electorate. He was the Minister for Sustainability, Climate Change and Innovation and he did not seem particularly concerned. He did not worry particularly about it. He said, ‘Oh well, someone else is in charge, and I’m only going to get in the way if I go down there, so I won’t worry about it.’ The Premier took about a day and three quarters before she did anything. Paul Lucas, the member for Lytton, took the rap, as he always does. He takes the
fall for Mrs Bligh. So he went over there and made some comments. But the point is that it took a day and a half before anyone did anything. No wonder Anna Bligh had said that only three ministries are safe, and I do not blame her. Her job, Paul Lucas’s job and the Treasurer’s job are the only ones that are safe if she is re-elected. I hope that she will not be re-elected because this is typical of what happens. Whether it is health, roads or traffic, it has been three years of disaster. Someone has gone in with a huge surplus and turned it into a $1.6 billion deficit, lost the AAA rating and now cannot put in a program that will be able to alleviate these oil spills.

Brisbane has two oil refineries. There are millions of tonnes of oil that go in and out of Brisbane every year that is refined into petrol and fuel that go out in tankers. There has to be a contingency plan. Where was that contingency plan? Why was it not activated? Why didn’t the Environmental Protection Agency enact that plan? It was there but no-one seemed to take any responsibility. Under the Westminster system, a minister takes responsibility. If he will not, then the Premier or the Prime Minister sacks them on the spot. That is what should have happened, and it should have happened many times in Queensland.

Ironically, this Environmental Protection Agency that allowed two tonnes of ammonium nitrate to be hosed off a boat just off the green zones. Then they allowed the boat to come into Moreton Bay. And then they allowed the oil spills to kill the pipis, beach worms and cultures up and down the beaches. These are the people who should be taken to task. They have destroyed the fishing grounds for the prawn industry—31 containers have gone overboard. No-one knows where they are. When these contain- ers leach out there will be blue-green algae blooms on the seabed. This is a disaster that we are only learning about now. As Senator Brown said, it is going to take maybe seven, eight, nine or 10 weeks to understand what damage has been done. No-one will be able to establish the extent of that damage for maybe another eight weeks.

I would like to take up Senator Macdonald’s point. I do not know how the Greens can preference a party that allows these disasters to happen. The National Party and the Liberal Party are in a formal coalition—we work together and develop policy together. There is no question in my mind or anyone else’s mind who observes politics that the Labor Party and the Greens are in coalition as true as the National Party and the Liberal Party are in coalition. The Greens lead the Labor Party around by the nose and you people genuflect when they suggest anything. You need their preferences; you have let them get stronger and stronger. You have been weaker and weaker in letting them take the attack.

How can you, Senator Brown, endorse a party that has let the environment down so badly? If it had been the Liberal Party or the National Party you would be screaming and naming everyone as being environmental vandals with no care. But you let the Labor Party off. You hit them over the wrist with a feather duster. You will not stand up against the Labor Party. How can you go up to
Traveston Crossing and Gympie and float down the Mary River in a canoe and then say to Labor, ‘I’m with you’? I can tell you: if the Labor Party win because of your preferences you will be tarred and feathered if you ever go into Gympie again—and I will make sure that it happens. I will make sure that you will be made most unwelcome if you ever—

Senator Bob Brown—Madam Acting Deputy President Troeth, I raise a point of order. I think the honourable senator is getting a bit carried away; and you might advise him to be more careful with some of his statements.

Senator Ian Macdonald—Madam Acting Deputy President, on that point of order: it is clearly not a point of order. That is my submission to you. It is part of the debate. What Senator Boswell says is entirely true, of course. I urge you to reject the point of order as being another way that the Greens are trying to help their mates in the Labor Party.

The ACTING DEPUTY PRESIDENT (Senator Troeth)—There is no point of order, but I am sure that Senator Boswell will take due care with his statements.

Senator BOSWELL—How can Senator Brown go up and say he is a friend of the Mary River when he is going to put in place next Saturday a set of preference deals that could make a huge difference? I really cannot understand how people can fall for this. I do not think the people of Queensland will fall for it.

Getting back to the debate: it has been a failure of the state Labor government. They did not do anything at 3.12 in the morning when they were advised that the ship was in trouble. They did not do anything until Thursday, 12 March, late in the afternoon. They let it happen. If any responsible minister in any responsible government got a message that there was a ship in trouble in 200-kilometre-an-hour cyclonic winds, was leaking oil and had dropped 32 containers of ammonium nitrate over the side, they would have alarm bells ringing in their ears in one second. The first thing they would do is ring the Environmental Protection Agency and all the other agencies and say: ‘We have a problem; stand by because you will be needed.’ But no, McNamara was swanning around his electorate, not particularly worried about anything. Anna Bligh said that it was under control when the Lord Mayor asked her whether she needed any help. Paul Lucas was not particularly worried. What sort of government is this? What sort of a government has a minister that cannot recognise a ship in 200-kilometre-an-hour winds in trouble— (Time expired)

The ACTING DEPUTY PRESIDENT—Order! The time for this debate on the matter of public importance has concluded.

MINISTERIAL STATEMENTS

ASEAN-Australia-New Zealand Free Trade Area

Senator CARR (Victoria—Minister for Innovation, Industry, Science and Research) (5.29 pm)—On behalf of the Minister for Trade, Mr Crean, I table a ministerial statement on the tabling of the agreement establishing the ASEAN-Australia-New Zealand free trade area, together with the agreement.

Senator IAN MACDONALD (Queensland) (5.29 pm)—by leave—I move:

That the Senate take note of the documents.

I seek leave to continue my remarks later.

Leave granted; debate adjourned.

DOCUMENTS

Tabling

The ACTING DEPUTY PRESIDENT (Senator Troeth)—Pursuant to standing order 166, I present the Commonwealth Grants Commission report which was presented to a
temporary chair of committees on 13 March 2009. In accordance with the terms of the standing order, the publication of the document was authorised.

COMMITTEES

National Broadband Committee

Report: Corrigenda

Senator BUSHBY (Tasmania) (5.30 pm)—On behalf of the Chair of the Select Committee on the National Broadband Network, I present a correction to the interim report of the committee, which was tabled on 2 December 2008.

Ordered that the document be printed.

Treaties Committee

Reports

Senator BUSHBY (Tasmania) (5.30 pm)—On behalf of the Chair of the Joint Standing Committee on Treaties, I present two reports of the committee: Report No. 98—Treaties tabled on 26 November 2008 and 4 December 2008; and Report No. 99—Treaties tabled on 3 December 2008 and 3 February 2009, and seek leave to move a motion in relation to the reports.

Leave granted.

Senator BUSHBY—I move:

That the Senate take note of the reports.

I seek leave to incorporate a tabling statement in Hansard.

Leave granted.

The statement read as follows—

The reports review 6 treaty actions, including:

• the Optional Protocol to the Convention on the Rights of Persons with Disabilities;

• an Agreement with NATO on the security of exchanged information; and

• two taxation Agreements with the British Virgin Islands.

In each case the Committee has supported the proposed Agreements and recommended that binding treaty action be taken. We have made an additional recommendation on the Optional Protocol to the Convention on the Rights of Persons with Disabilities.

The Committee considered two taxation Agreements with the British Virgin Islands designed to assist in efforts to combat offshore tax evasion. These agreements are part of a suite of such agreements currently under negotiation by Australia and will facilitate the exchange of information relating to taxes and establish the allocation of taxing rights between Australia and the British Virgin Islands.

The British Virgin Islands is one of 35 countries working with the OECD under the auspices of the Global Forum on Taxation to improve tax practices. It currently has a low-tax structure and is known internationally as a centre for incorporated offshore companies.

These agreements will make it harder for taxpayers to evade tax and increase the probability of detection by allowing each country to request and receive certain information held by the other country.

The Committee heard evidence that the Tax Office expects to uncover tax evasion by Australian taxpayers using the British Virgin Islands, and that in the 2008 financial year about $2.2 billion came into Australia from the British Virgin Islands. The Tax Office intends to use the agreement to look for telltale signs of tax evasion such as a taxpayer using a credit card from one of these countries to repeatedly take cash at automatic teller machines in shopping centres. The Committee heard that there were people doing up to 200 or 300 withdrawals a year of hundreds of thousands of dollars.

Tax havens are one of the underlying causes of the global financial crisis. They contribute to a lack of transparency about who owns what. Taxpayers who pay their taxes voluntarily should not have to shoulder an additional burden to make up for those who do not.

The Optional Protocol to the Convention on the Rights of Persons with Disabilities will further promote and protect the economic, social and cultural rights of Australians living with disabilities, enshrined in the Convention on the Rights of Persons with Disabilities. The Optional Protocol
allows Australians living with disabilities to lodge unresolved discrimination complaints with the United Nations Committee on the Rights of Persons with Disabilities once all domestic remedies have been exhausted. It also permits the Committee to conduct inquiries into alleged grave or systemic breaches of the Convention.

The Optional Protocol will provide an additional layer of accountability to Australia’s anti-discrimination measures and demonstrate Australia’s confidence in its human rights record. Along with the Convention itself, it will promote the inclusion and participation of people with disabilities in all aspects of Australian life.

Accession to the Optional Protocol is also consistent with Australia’s involvement in other treaties with external appeal mechanisms such as the International Covenant on Civil and Political Rights, the Convention Against Torture and Other Forms of Cruel, Inhuman or Degrading Treatment or Punishment, the Convention on the Elimination of all Forms of Racial Discrimination and the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination Against Women. Accession to the Optional Protocol places the rights of people with disabilities on an equal footing with the rights ensured by these treaties.

In conducting its inquiry the Committee heard from the Australian Federation of Disability Organisations (AFDO) that the process by which Australians will be able to make a complaint to the United Nations Committee is not clear. The AFDO suggested that the Government needs to make clear to Australians the pathway they would have to follow in order to make an appeal to the United Nations Committee.

To address this concern we have recommended that the Government make advice available to Australians via the Attorney-General’s website as to when and how a complaint could be lodged with the United Nations Committee. The Treaties Committee considered that such an arrangement would ensure that Australians are aware of their options when making a disability discrimination complaint, and would further promote disability rights in Australia.

The Committee also considered the Agreement between the Government of Australia and the North Atlantic Treaty Organisation on the Security of Information. This Agreement sets mandatory standards and procedures for exchanging classified information between the Government of Australia and NATO.

This Agreement will strengthen the existing cooperative relationship between Australia and NATO and will aid current on-going Australia-NATO operations, such as Australia’s military deployment in Afghanistan, by facilitating the sharing of classified information. It will also allow for a deeper strategic dialogue between Australia and NATO and increased cooperation on long-term common interests and issues. The Committee recognises the value of this agreement, which is one of ten similar agreements entered into by Australia.

These reports review 6 proposed treaty actions in total. The other treaty actions were minor amendments to the UNESCO International Convention Against Doping in Sport and the Agreement on the Conservation of Albatrosses and Petrels. I thank the numerous agencies and individuals who assisted in the Committee’s inquiries.

I commend the reports to the Senate.

Question agreed to.

DELEGATION REPORTS
Parliamentary Delegation to Egypt and Israel

Senator STERLE (Western Australia) (5.31 pm)—by leave—I present the report of the Australian parliamentary delegation to Egypt and Israel, which took place from 31 October to 6 November 2008. I seek leave to move a motion in relation to the report.

Leave granted.

Senator STERLE—I move:

That the Senate take note of the document.

The delegation also made a brief visit to the West Bank of the Palestinian territories. On the delegation, I was accompanied by the member for Canberra, Ms Annette Ellis MP, who was the delegation leader; the member for Maranoa, the Hon. Bruce Scott MP; Senator the Hon. Richard Colbeck from
Tasmania; Senator Gavin Marshall from Victoria; and the member for Fisher, the Hon. Peter Slipper MP. Of course, one must not forget Ms Lyn Witheridge from the Department of the House of Representatives. I thank them all for their active and constructive contributions. All members engaged in discussions, visits and inspections with enthusiasm and in a spirit of bipartisanship. Australia has significant involvement in the Middle East as a trading partner and also through the continuing efforts of our Australian Defence Force. It is important that Australia’s parliamentarians maintain an interest and continue to develop relationships in the region.

The visit provided us with a valuable opportunity to gain a better understanding of the Middle East peace process. We also explored opportunities for expanding relationships, particularly in the areas of trade and investment. We all learnt more about Australia’s wheat and live meat exports to that region as well. It was very pleasing to meet with members of the ADF serving in key peacekeeping roles. We have men and women in the region serving as part of the multinational force and as observers and also as part of the United Nations Truce Supervision Organisation. All Australians can be justifiably proud of their commitment and service. There is a significant level of goodwill generated from our contributions to these operations.

We also valued the opportunity to pay tribute to Australia’s war dead in both countries. While in Egypt, we visited El Alamein, and in Israel we visited Beersheba. On behalf of the delegation, I would like to commend the Commonwealth War Graves Commission for its care of the graves of Australians and others buried in the Middle East and elsewhere in the world. In addition to honouring the sacrifices of those who served and died, the cemeteries are a continual reminder of the need to strive for peaceful outcomes to disputes between nations. While I am talking about El Alamein and Beersheba, I would like to say that a very moving part of the journey occurred at El Alamein while we were watching the going down of the sun. I can tell you, Madam Acting Deputy President, it was a very moving time for all of us—certainly for me—when we looked around and reflected for that minute or so on the Aussie boys who had fought and died on that foreign soil. We do commend them.

During the visit, the delegation was encouraged by statements of optimism made about the peace process; however, it was at the tail end of the fragile truce. We were on tour at a desalination plant in Ashkelon in Israel, and when got back on the bus our guide told us that a Hamas rocket had fallen nearby. I said, ‘How nearby?’ and he said, ‘Very nearby.’ So let us keep our fingers crossed. We were extremely concerned about the breakdown of the ceasefire agreement in December 2008 and the resulting conflict between Israel and Hamas. The delegation and, I have no doubt, all Australians support continuing diplomatic efforts to halt the violence and to find a path towards a lasting and stable solution. But, sadly, that is entirely in the hands of Hamas. While they continue to send rockets into Israel, it is very hard to put your hand on your heart and think that we will achieve this peace process.

In 2008, $45 million of development assistance was provided to the Palestinian people by the Australian government, doubling the amount of the previous year. I note the recent announcements of a further allocation of $10 million towards humanitarian assistance to the people of the Gaza Strip. Just last week, there was an additional $20 million to meet the recovery and reconstruction needs of the Palestinian people.
The delegation received a briefing from UNRWA, the United Nations Relief and Works Agency for Palestine Refugees in the Near East, and visited the Dheisheh refugee camp in Bethlehem. I had visions of a refugee camp with tents, putrid conditions and stagnant water, but, to my mind, this camp was not anything near that. There were brick and tile constructions, which were very clean. A significant level of Australian assistance is provided through that agency. It aims to improve governance and reform health care and food security for refugees.

We also had the pleasure of visiting a project supported by Australia’s Direct Aid Program in Cairo. The Australian embassy in Egypt provides funding to support the Kids Bake Vocational Training Centre in one of the squatter communities in Old Cairo. I know my esteemed colleague on the other side of the chamber Senator Colbeck would say that it opens your eyes when you get into the squatter areas of Old Cairo. The kids bake training centre provides valuable skills training for young girls with a view to assisting them to find employment and a future livelihood. We sampled their wares and they did a fantastic job. It was uplifting to see these young girls, living in such squalid conditions, all smiling—the looks on their faces because they had learnt something. They baked some bread for us and every member of the delegation sampled it. The girls looked absolutely sweet in their uniforms. It really opens your heart to see them. We think we have hard times now and again—a pie at the football might be cold. We really need to get out and experience the conditions that some people around the world live in. Whatever little we can add to get a smile on people’s faces is rewarding. I commend the Australian embassy in Cairo for its support of the kids bake program.

Delegation members join me in expressing sincere appreciation to the governments and the parliamentary, business and other representatives we met. We were grateful for the welcome and the hospitality extended to us and for the time made available for meetings and the useful and interesting exchange of information and views. We also express appreciation to those who assisted with the arrangements for the visit, in particular the staff of the Department of Foreign Affairs and Trade in Canberra and overseas—they were exemplary. The second and third secretaries in the Australian embassies in Egypt and in Israel do a magnificent job in trying conditions. It makes it harder for them when, after spending a few hours on an aeroplane, they have to look after our wants and needs, but they did a fantastic job. I am sure other members of the delegation would join me in congratulating them.

To Ambassador Shwabsky in Cairo and to Ambassador Larsen in Egypt go our sincere thanks for their hospitality and for the program they put together to give us the opportunity to meet a lot of members of parliament and businesspeople in Egypt and in Israel, and it was also rewarding to bump into a lot of expats who are flying the Australian flag in those countries. I was talking to a gentleman at the Australian embassy in Egypt and found that he lives two streets away from me in Cardinia in Western Australia. We exchanged phone numbers. We could not work out who owed whom a beer, but we are going to have it when he gets back to Australia. I thank the Senate for their time.

Senator COLBECK (Tasmania) (5.41 pm)—I would like to associate myself with the comments made by Senator Sterle and make a contribution to the debate on the report of the Australian parliamentary delegation to Egypt and Israel, which took place from 31 October to 6 November 2008. I concur with Senator Sterle’s comments about the spirit in which the delegation was conducted. The group did gel particularly well, even to
the extent of some decisions we had to make on variations to the original program to fit in specific interests. Right from the beginning of the delegation, we worked very well together to get the outcomes we were all looking for.

I will begin with our arrival in Egypt and going down to El Alamein to take part in the commemorations there. As Senator Sterle has said, it is quite a profound experience to see directly where our troops have fought and the conditions they lived in compared with our modern-day experience. To even consider the difficulties that they would have faced in their time really brings it back to you. I add my congratulations to the role of the ADF in those commemorative services and, in particular, the major contribution they make to peacekeeping in the Sinai. It was great to meet them and see the professionalism and the pride with which they undertake their jobs there. Also an important perspective for me was the personal development and growth in their careers and the general capabilities of our troops which come about because of their roles on these postings. It was really great to see the pride with which they conduct themselves in the work they are doing and also the way they represent our country. It was really fantastic.

The value of our trip was that we saw two countries with slightly different perspectives of the situation in the region. We were persistently given the perspective of the 22 Arab countries on peace in the region during the time we were in Egypt and by the end of our trip it was quite clear to us what that view was. It was also good to hear of the hope they hold for a resolution to the current difficulties that exist in the region. I only hope that can materialise at some point.

One of the things that really grasped me was in relation to the importance of our wheat trade with Egypt. When you consider that each day the Egyptians produce more than 200 million loaves of 20-centimetre flatbread weighing 130 grams and subsidised for the people at all levels of the country, it is a staggering number—200 million loaves of bread. A major concern of the Minister for Social Solidarity, whom we would see as having a slightly different perspective, is to make sure that that bread is available every day; otherwise there would be significant social unrest. Our wheat trade, which provides an input to this bread, was of major importance in our discussions with the Minister for Social Solidarity. We met him on our first night in Cairo and his major concern was what our wheat crop was going to be like and whether we were likely to be providing wheat to his country.

We also had the opportunity to visit an abattoir that will be taking Australian live beef. We got a good insight into what was going on with that trade. The standards that they are complying with and the importance with which they place the live trade from Australia and the needs of the country were quite interesting.

While in Israel we had the opportunity to participate in some commemorative services at Beersheba and the role of Australian defence services played in that region came out. We had further interaction with them when we went into the Golan Heights. We saw the proximity they are working in with the Israelis and the Syrians. It was interesting for us to be able to observe those differences.

As Senator Sterle said, when we were at Ashkelon visiting the world’s largest desalination plant that was the day the Israelis found the Hamas operatives in the tunnels. We did notice a fair bit of aircraft activity that day. We were not too certain what it was. As it turned out, it was not just aircraft activity in the region; there were other projectiles. That facility, which is next to a power sta-
tion, is obviously a significant target for Hamas. When we were conducting our briefing with the manager of the facility we expressed our desire to go outside and walk around. He was very reticent about leaving the facility. He told us several times that he could show us plenty of photographs and give us an extensive briefing of the facility. It was not until he informed us that the briefing room that we were in was also their bomb shelter that we got a sense of the issues that he considered to be of significance as part of that process.

We did in fact go for a walk around and have a look outside. It goes to show the issues that Israelis deal with on a day-to-day basis. When we went down to Siderot to talk to the mayor, again the issue of Israelis having to live with the spectre of rockets arriving in their backyards on a daily basis was quite profound.

We were privileged to meet with some significant people. Our briefing with Mark Regev, an Australian who is working in the Prime Minister’s office in Israel, was a highlight for me. He is obviously highly trusted. He gave us a very good briefing on the issues and, importantly, again expressed high hopes for the peace process. All of us who have come away from that trip hope that the hopes that were expressed by the Arab community while we were in Egypt and by the Israelis can come to pass. One issue that was being discussed at the time we were in Israel was: would Israel go back into Gaza? That has obviously come to pass. I sincerely hope that the desires and the hopes from both sides of that argument can be put into effect as soon as possible. It is certainly a conflict that has gone on for too long.

Like Senator Sterle, I would like to thank my fellow members of the delegation and particularly thank those who helped to pull it all together. It was really well organised in Egypt—well, as well as you can organise things because of the vagaries of working in that country. Anyone who has been there would well know that it is very difficult to get to places on time because the traffic is so variable. Stephanie Shwabsky and Hugh Robilliard, whom I think we nearly drove to distraction, did a fantastic job. James Larsen in Israel showed his true professionalism. Ben Scott looked after things on the Palestinian side and Patricia Smith stayed with us throughout our time there. I thank them all for the efforts they put into a very successful trip. I would also like to mention Major General Ian Gordon, another Australian who is playing a significant part in the region in heading up the United Nations Truce Supervision Organisation. He is highly regarded. They all contributed to a really significant trip. (Time expired)

Question agreed to.

DOCUMENTS

Tabling

The Clerk—Documents are tabled in accordance with the list circulated to senators.

Details of the documents appear at the end of today’s Hansard.

COMMITTEES

Membership

The ACTING DEPUTY PRESIDENT (Senator Troeth)—The President has received a letter from a party leader seeking appointment of members to committees.

Senator CARR (Victoria—Minister for Innovation, Industry, Science and Research) (5.51 pm)—by leave—I move:

That senators be appointed to committees as follows:

Corporations and Financial Services—
Joint Statutory Committee—

Appointed—Senator Farrell
Senator EGGLESTON (Western Australia) (5.52 pm)—As I was saying earlier, this alcopops tax is no more than a revenue-generating exercise by the government, disguised as an attempt to address the problems caused by excessive drinking among teenagers. However, I would suggest that if the government were genuine in this endeavour, rather than an increase in tax focused on a preferred drink of young people, the broader issue of alcoholism in the Australian community would have been addressed. If a tax were to be introduced, I would suggest it should have been to put in place a volumetric tax on alcoholic drinks whereby drinks are taxed according to the percentage of alcohol they contain so that a low-alcohol-content drink would have a low tax and thereby be cheaper, and a high-alcohol-content drink would have a high tax and thereby be more expensive.

There is no doubt at all that alcoholism in Australia has a huge impact, a horrendous social cost, and also has huge costs to industry in this country. The social costs include the impact on families of domestic violence, marital disharmony and breakdown, a huge cost to the social services budget looking after people claiming social security as a result of breakdowns in marriages, unemployment benefits and so on, and then there are the long-term or subtle effects such as underachieving children who are victims of alcoholic parents and broken marriages. As we all know, there is a huge impact of alcoholism in Indigenous communities. We have read about what has been happening in the Northern Territory and in the north of Western Australia in towns like Fitzroy Crossing and Falls Creek and Kalumburu. Alcoholism is wrecking those societies. I remember attending a seminar that BHP ran in Port Hedland, where alcohol was labelled the biggest drug problem Australia faced and caused a huge cost to industry as a result of workplace and other injuries, loss of time at work, decreased efficiency as well as domestic social problems outside of the work environment.

According to the Alcohol and Other Drugs Council of Australia, the carnage left by alcohol misuse is staggering. Around one-third of Australians put themselves at risk of alcohol related harm in the short term, such as premature death or disability, from events such as road injury, violence and assault, on at least one occasion in their lives. Almost 10 per cent of the population consume alcohol in a manner that puts them at risk of long-term harm, such as cancer, cirrhosis of the liver, cardiovascular disease, suicide and so on. It is estimated that nearly five per cent of the total injury and disease burden in Australia is attributable to alcohol. Alcohol is the major cause of drug related death among young Australians. Elevated blood alcohol levels are implicated in one-third of all road
traffic accidents, and they include accidents involving people under the driving age, strangely enough.

As I was saying in my earlier, rather short contribution today, if we in Australia are to deal effectively with the problem of binge drinking and alcoholism, then the government has to be serious about finding solutions. The cost of alcohol to consumers is an important factor in curbing excessive drinking, and tax, as I have said, is an important factor in the cost of drinks. I believe that a volumetric tax is the most obvious way to use this fact in reducing the consumption of alcoholic drinks in Australian society, and thereby mitigating, if not substantially reducing, the social consequences of alcoholism in Australia.

Only recently in Scotland, the government recognised this and announced a plan to introduce a standard price per unit of alcohol consumed in Scotland. This was done to tackle the $3.5 billion cost of alcohol abuse in Scotland—the Scots of course are very famous for their habit of indulging in the drink which carries their name, but the social consequences of that habit are huge. I can understand why the Scottish government has sought to do something about this. Similarly, pivotal research in Australia in 1999 by Curtin University of Technology, which conducted a study into cask wine drinking patterns in the Northern Territory, found that with the introduction of a surcharge the average consumption of alcohol was significantly reduced, which of course is the principle the Scots are applying in their legislation. As I said earlier, currently cask wine, with an average of 12 per cent alcohol, is taxed at about 6c per standard drink compared to beer, which averages three per cent alcohol and is taxed at a whopping 43c per standard drink. In other words: lower alcohol beer is taxed at a rate of seven times higher than the high-alcohol-percentage cask wine—QED.

With a volumetric tax on alcohol, by contrast, the tax on beer would be one-quarter that of the tax on wine. I think the implications of that should be obvious to anyone who gives it any consideration whatsoever: the price of low-alcohol beer would be substantially lower than the price of a glass of wine. As I have said, it is widely recognised in Australia that alcoholism is one of the most serious causes of social problems in our society. The fact that the Rudd government has selectively increased the tax on one form of alcoholic drink—namely, alcopops—underlines the sheer hypocrisy and insincerity of the Rudd government on this issue. There should be no doubt in anyone’s mind that this alcopops tax is nothing more than a revenue-generating measure rather than a serious attempt by the Rudd government to deal with the serious problems caused by alcoholism in our community—which, as I have said, could be ameliorated were a volumetric tax on alcohol introduced.

I also said earlier that the AMA has for years supported the concept of the introduction of a volumetric tax on alcohol, as has the Productivity Commission, the Australian Council of Social Service, the National Centre for Research into the Prevention of Drug Abuse, the Salvation Army and the Alcohol Advisory Council of Western Australia. The Rudd government must be aware of the position of these bodies, of the extent of the damage alcoholism causes on an ongoing basis in the Australian community and of the need for the federal government to develop a strong, broad policy profile to counter these problems. The alcopops tax is certainly not such a broad measure that it will do very much of anything to deal with the general problem of alcoholism in our community.

Given this, for the government to pretend that the alcopops tax was anything but a short-term revenue-raising measure is absolute nonsense. After almost a year of this tax
being in place, the Rudd government has been unable to demonstrate that the alcopops tax has had any impact on teenage binge drinking; in fact, teenagers have just shifted back to full-strength spirits and bought themselves cans of Coke to go with them. Accordingly, I call upon the Rudd government to demonstrate some leadership in dealing with the problem and the horrendous consequences of alcohol abuse in this country. While any serious attempt to counter the problems of alcoholism in Australia would include education, law enforcement, industry involvement and rehabilitation services, an important part of any solution has to be the introduction of a volumetric tax on alcoholic drinks so that there is a cost incentive to encourage drinkers to move to low-alcohol drinks across the board. In the meantime, this cynical fraud—this alcopops tax—should be rejected by the Senate as a means of indicating to the government that the Senate wants the government to come up with some real solutions to the problems caused by alcoholism and alcohol in general in our society.

Senator CAROL BROWN (Tasmania) (6.03 pm)—I rise today to make my contribution to the Excise Tariff Amendment (2009 Measures No. 1) Bill 2009 and the Customs Tariff Amendment (2009 Measures No. 1) Bill 2009 debate. I am proud to stand here today as a member of a government which understands the effects of binge drinking, as a member of a government that is committed to tackling the serious problem of binge drinking and as a member of a government which is putting in place practical solutions to reduce the levels of risky and at-risk drinking.

It is the legislation we are debating here today which has formed a crucial part of the government’s strategy to try to reduce the levels of harmful drinking amongst all Australians and especially amongst younger Australians, who often turn to these sweet, sugary-tasting drinks—the RTDs, also known as alcopops. It is for this reason that the government on 26 April 2008 undertook the step to increase the rate of excise on these beverages from $39.36 to $66.67 per litre of alcohol content. This new level of tax now applies to all spirit based ready-to-drink beverages which do not exceed 10 per cent alcohol by volume. The amendments contained in these bills will also ensure that new beer and wine based products which mimic the taste of ready-to-drink spirit beverages will not escape this new tax. The Rudd government has acted to ensure that these beer and wine based RTDs which have become more prominent in the 12 months since the last measures were introduced do not become a loophole for alcohol manufacturers to exploit, whereby they would be able to produce products which were very similar in taste to spirit based alcopops but attracted a lower tax because they were beer or wine based.

The measure we introduced in April last year reverses a decision made in 2000 by those opposite. It was back in 2000 that those opposite decided to give alcohol companies a tax break by taxing alcopops at a rate similar to that for full-strength beer. It was this decision that made alcopops far more affordable for young people and, consequently, the drink of choice for a large number of them. As a result of those opposite giving the alcohol companies a tax break, an explosion of alcopop sales occurred; even the alcohol industry itself admits that, since 2000, sales of alcopops have increased by 250 per cent. These alcopops are marketed directly at young people. Alcohol companies use bright colours and sweet flavours to hook young people on them—not to mention the fact that the sugary taste of the alcopops helps mask the distinctive taste of alcohol. Most RTDs have quite a strong alcohol content; with most ranging between five and seven per
cent, many young people are able to drink these products quickly and get drunk faster.

This is why the Rudd government moved to correct the bad decision made by those opposite. We are a government which is serious about addressing the binge-drinking epidemic which Australia is currently experiencing amongst young people. For too long we had a government which provided little action on binge drinking, but now, finally, we have a government—the Rudd Labor government—which is determined to find practical solutions to excessive alcohol abuse. Like many of my colleagues, I call on those opposite to stop playing politics and to join with us to pass this measure and rectify past mistakes. During the Senate Standing Committee on Community Affairs inquiry hearings on alcopops, there were wide-ranging discussions on sources of data presented as evidence. As stated in the majority report, the committee preferred sales and consumption data rather than the survey data as the basis for its findings, although survey data was also widely used in the hearing. In evidence, Professor Steven Allsop, appearing in a private capacity, stated:

... it is universally accepted that sales data are strongly and closely aligned to consumption ... Even national surveys with very large sample sizes, like the highly regarded National Drug Strategy Household Survey ... account for less than 60 to 70 per cent of alcohol known to be consumed from sales data ...

So what does the sales data tell us? Let us look at the Australian Taxation Office clearance data. This data tells us the amount of taxable alcohol in beer, spirits and RTDs sold in Australia. As the Senate committee’s majority report states:

Compared to the same period in 2007, the clearance figures for the period May to September 2008 show:

- a 34.6 per cent decrease in alcopops clearances;
- a 17 per cent increase in full-strength spirit clearances;
- a 7.9 per cent decrease in total spirit clearances (RTDs plus full-strength spirits); and
- a 6.1 per cent increase in beer consumption.

The ATO figures also show that, since the introduction of the measures, the growth in excisable alcohol consumption has slowed. The Department of the Treasury reported that the current projections, based on the ATO figures, show a reduction in consumption of RTDs of 34.6 per cent. We have also have ACNielsen Liquor Services Group data. Across all the beverage types, the figures show a 2.7 per cent decrease in consumption, which is equivalent to 64 million standard drinks. The ACNielsen ScanTrack data comparing May to January 2008 with the same period in the previous year shows:

- a 29 per cent decrease in total sales of RTDs (equivalent to 310 million standard drinks);
- a 24 per cent decrease in sales of RTDs with more than 6 per cent alcohol;
- a 31 per cent decrease in sales of RTDs with less than 6 per cent alcohol; and
- a 38 per cent decrease in sales of vodka-based RTDs with more than 6 per cent alcohol.

The biggest decrease is in vodka based RTDs, which are designed for and targeted at young people. As Mr Munro from the Australian Drug Foundation pointed out, the 38 per cent decrease in vodka based RTDs is a significant result in the context of the stated intent of the tax increase:

... it is important, given this tax is aimed particularly at young, underage drinkers and young female drinkers, to recognise that vodka alcopops are preferred by young drinkers and particularly by young females.

So this is telling us that the tax has been successful when it comes to reducing the attraction of and demand for alcopops, with a massive decline in alcopops sales, the largest
decline being in the sales of the vodka based, 
high-alcohol drinks favoured by young 
women. The Senate committee’s majority 
report points out:

... there was no significant dispute that RTD sales 
have reduced significantly since the tax increase.

There were a number of positions put for-
ward regarding the substitution effects fol-
lowing the tax measure—that is, consumers 
of alcopops moving to other cheaper alco-
holic beverages. While all submitters and 
witnesses agreed that some level of substitu-
tion has occurred, there was disagreement as 
to its extent and significance. The Alcohol 
and Other Drugs Council of Australia in their 
submission to the inquiry stated:

At present there is minimal data to either prove or 
disprove significant substitution effects.

However, they expressed the view that, while 
the ATO data did show that there was a sub-
stitution from RTDs to full-strength spirits, 
total spirits consumption fell by 330,000 li-
tres of pure alcohol. Another issue was the 
effectiveness of cost-shaping behaviour. A 
number of public health experts endorsed the 
effectiveness of the price-levers approach to 
reducing alcohol consumption.

I am baffled as to how those opposite still 
cannot put all of the pieces of this simple 
puzzle together and support this bill. The 
first piece of the puzzle illustrates clear facts 
about the levels of young people undertaking 
risky drinking. The 2007 National Drug 
Strategy Household Survey found extremely 
distressing patterns of binge drinking by 
Australian teenagers, especially teenage 
girls. The survey found that, in any given 
week, approximately one in 10 12- to 17-
year-olds—which equates to 168,000—
reported binge drinking or drinking at risky 
levels. Almost 20,000 girls aged between 12 
and 15 reported that they drink daily or 
weekly, and more than one in four girls aged 
between 14 and 19 years—237,000 girls—
drink at risky or high-risk levels every 
month.

These are, indeed, very distressing figures. 
They clearly highlight the huge binge-
drinking problem among young Australians. 
This is coupled with the evidence of the 
surge in popularity of alcopops, which can be 
found in a survey commissioned by the de-
partment on the alcohol consumption pat-
terns among Australian 15- to 17-year-olds. 
This survey identified that, between 2002 
and 2004, the percentage of female drinkers 
aged 15 to 17 reporting they had consumed 
alcopops at their last drinking occasion 
jumped from 14 per cent to a staggering 62 
per cent. In addition, the Australian second-
dary school students’ use of alcohol in 2005 
report found that, between 1999 and 2005, 
the proportion of teenage girls aged 12 to 17 
who chose RTDs as their preferred drink rose 
from 23 per cent to 48 per cent. These facts 
clearly prove that binge drinking is a major 
problem among the youth in this country. 
What is even more alarming is the surge in 
the popularity of alcopops as the drink of 
choice for young people.

The second piece of the puzzle is the tes-
timony of so many health experts in support 
of this measure. I might just remind the 
chamber of some of those. Mr Geoff Munro, 
the National Policy Director of the Aus-
tralian Drug Foundation, said:

The industry claims a rise in tax has no impact on 
consumption of alcopops. But increasing taxes is 
a proven and effective method of decreasing sales 
of alcohol to young people. This tax is working 
on young people. If it prevents young people 
from taking up drinking early in life, it will have 
a profound impact on the health of Australians.

Dr Rosanna Capolingua, President of the 
Australian Medical Association, said at the 
Senate inquiry into these bills:

Teenagers who have limited disposable income 
will be particularly sensitive to price. This 
strongly suggests that a very effective lever to
reduce teenagers’ consumption of alcopops is to raise their prices through an excise and/or custom tax increase. The AMA believes that current evidence from Australia and overseas provides every reason to expect that the alcopops tax will act to reduce demand for alcopops. Recent and emerging data in Australia on the consumption of alcopops appears to confirm this particular expectation.

Mr Daryl Smeaton of the Alcohol Education and Rehabilitation Foundation said:

International evidence demonstrates that taxing alcopops at the same rate as bottled spirits will change the consumption patterns amongst young people and lead to less alcohol-related harm. Australian Education and Rehabilitation has economic modelling data which demonstrates that young binge-drinkers prefer to drink Ready to Drink (RTD) spirits because they offer the most alcohol for the cheapest price.

And the final piece of the puzzle, for the benefit of those opposite, is of course empirical evidence which shows a reduction in the sale of alcopops.

Australian Taxation Office figures gathered from the first nine months since the increase in the alcopops tax are significant: they show that alcopops sales have dropped 35 per cent compared to the previous year. In fact, the Hon. Nicola Roxon, the Minister for Health and Ageing, rightly pointed out in the other place that these figures are significant and well beyond the government’s modest predications. She said:

When this measure was first introduced, modelling predicted that it would slow the astronomical growth of alcopops sales, which would have been an achievement in itself. In fact, alcopops sales have slumped—bringing overall spirits sales with them. Despite a smaller increase in full-strength spirits sales, overall spirits sales have fallen by almost eight per cent.

I hope now that I have outlined for those opposite the three key pieces of the puzzle so that they might be able to put them together and come up with the solution and pass this legislation.

We have the first piece: the measure is backed by research. The second is that the measure is backed and supported by a wide range of health experts and professionals. Finally, the measure is backed by evidence which shows a clear reduction in the sales of alcopops. I call on all those opposite to act now and join with the government to get serious about tackling binge drinking. All the evidence supports the government’s measure as an effective policy initiative to reduce alcohol abuse.

If this measure is voted down in this place, the government will be forced to hand back to alcohol companies around $290 million of tax already collected. By not supporting this legislation, those opposite will be responsible for taking a significant amount of funding away from Commonwealth preventative health measures. It is extremely important that those opposite support the measure that we are debating here today, because it forms one part of the Rudd Labor government’s large-scale approach to tackle binge drinking.

In March last year, the Prime Minister launched the National Binge Drinking Strategy. This involved $53.5 million of funding to initiate three new practical measures to help reduce alcohol abuse. At COAG, the Rudd Labor government announced that it would be making the single largest investment by an Australian government in preventative health. The $872 million of funding has been provided to support a range of programs and interventions to reduce the impact of chronic illness in the community.

This government has firmly put alcohol abuse as a high priority in the National Preventative Health Partnership. Currently, the National Preventative Health Taskforce is developing a national preventative health
strategy for Australia which will deliver more significant initiatives to tackle alcohol abuse. The Rudd Labor government has a clear-cut plan to bring down risky levels of drinking. The Rudd government has put in place a range of successful policy measures to help reduce alcohol abuse, and we have an opposition who are still unwilling to jump on board and support the government in this fight.

The Senate majority report makes two recommendations. The first was that the government develop strategies to facilitate the collection and coordination of national public health data. The second recommendation was of course that the legislation be passed.

As I have said, a number of health professionals and experts in the field—people who have dedicated their adult lives to public health policy—support this legislation. And who opposes this legislation? The industry; the spirit manufacturers; those who stand to lose financially with the reduction in sales of alcopops—those very people who, as Minister Roxon noted, showed a willingness to target the youth market with new alcopop-style products that avoided the tax increase.

As I commend the legislation to the chamber, I can only hope that those opposite have a change of heart and support these very important preventative health measures.

Senator BERNARDI (South Australia) (6.20 pm)—In rising to speak on the Customs Tariff Amendment (2009 Measures No. 1) Bill 2009 and the Excise Tariff Amendment (2009 Measures No. 1) Bill 2009, I would like to let the Senate and anyone listening know that I come from a family that has had a great deal of interest in the wine and liquor industry. My father has been a publican and a restaurateur; I have been involved in hotels, as have my brothers and my mother—and quite proudly so.

As a publican, I have seen—and I am sure other publicans have seen—all manner of behaviour as a result of inebriation. On occasions, it may be fair to say that some of us have been affected in one way, shape or form in regard to that. However, I do not believe, frankly, that a great deal has changed over the last decade—certainly since my first exposure to the hotel industry. People will, unfortunately and regrettably, sometimes overstep the mark in regard to the consumption of alcohol. Sometimes this is indeed intended. They go out and deliberately set out to become inebriated. They think that it is going to enhance their good time. Others on occasion simply have one drink too many and, appropriately, find themselves perhaps unable to function at their full capacity.

Society has done a great deal and taken a great many steps to ensure that a great many of the harmful effects of overconsumption of alcohol have had their impacts reduced within the community. We have had anti-drink-driving advertisements and laws in place. That has certainly changed people’s behaviour for the better. I regret, as I am sure all senators do, that so many people continue to flout the law in this regard. But to suggest that there has been an increase in binge drinking goes against every instinct in me and every piece of anecdotal evidence that I have seen accumulated over the course of my 40-odd years of life. There are lots of young people who experiment with alcohol. Some will see that as a coming of age while others will regard it as a dereliction of responsibility, either by parents or society as a whole.
To increase the tax regime on a single alcohol product or a variety of alcohol products in the same category is, I think, addressing the wrong problem. If you have an epidemic of binge drinking, the problem concerns how it is that children get access to alcohol when they should not have access to it. Are hoteliers or publicans flouting the law by selling alcohol to children or are children just being as ingenious as they always have been in obtaining what they can, where they can, whether it be when their parents are out or from a compliant adult or from one of their friends who looks somewhat older than they are? There are any number of reasons that people can obtain alcohol when they are not entitled to it.

It is really gilding the lily to suggest that simply because someone has a drink that happens to be a whisky and coke in a can, or any other ready-to-drink beverage, it is somehow a greater crime or a greater problem than if they were to drink a beer, which has a similar or the same alcohol content. It gilds the lily to such an extent that, instead of addressing what is, I think, a serious issue in our community— notwithstanding the fact that I do not think it is any greater than it has been over past decades—it is being dressed up as a health issue when the government is really just trying to extract billions of dollars from the Australian community. I think that is wrong.

I say that in all genuineness because I do not believe that the Australian people need any more taxation, quite frankly. We have to remember where this tax was conceived. This tax was conceived when there was a war on inflation and we had to slow the economy. We had to slow the economy because inflation was the genie that was out of the bottle—this was less than 12 months ago. This shows how clearly the Rudd government have misread the Australian economy. They dressed this new tax up and said, ’We are going to save young people from themselves.’ These are the same people who handed out billions of dollars in their cash splash and said that it was okay for people to spend that money on poker machines or drinking or on any other vice they liked. It did not matter as long as it was spent. And yet there are probably millions of Australians who have been penalised by this illegitimate taxation increase because it has been dressed up as a measure to stop binge drinking.

I will put my hand up and say, ’I am very happy to have a ready-to-drink can, because it is convenient.’ It means that if I am going out to a barbecue and I do not feel like having a beer or a wine I can have a premixed drink and know exactly what dose of alcohol I will be getting. I am not alone. Many people in our community find this to be a convenient way of enjoying alcohol responsibly. Sure, some people choose to abuse it by consuming too much. But people choose to have too much of any number of products they consume, including alcohol, no matter whether they buy a carton of beer instead of a six-pack of beer or a flagon of port instead of enjoying a more moderated dosage. If people want to get stonkered, they will. If that is what they want to do, that is what they will do. The way to change that behaviour is to educate the person, to help them through if they have a problem with it and to make sure that we change the attitudes of society towards the acceptability of it. That is part of the deal that we have got to do.

The problem with this measure is that it is just taxation; it is a pecuniary taxation measure that targets everyone who enjoys reasonable consumption of alcohol. It does not address the fundamental root cause of the problem of alcohol abuse, which may be self-esteem, or society’s ideals or other issues. It does nothing to redress the consumption of alcohol. I do not just say that anecdotally, because in the Senate committee report on
ready-to-drink alcohol beverages—and I have to say it was excellent, particularly the report at the back from the coalition senators—the Australian Drug Foundation presented some data that was obtained by ACNielsen. I am advised that this is the most comprehensive and up-to-date data on overall packaged alcohol sales in Australia—this is off-licence consumption where you go to a bottle shop and take away the drink of your choice. In the month on month figures from January 2008 to January 2009 there was an increase in consumption of nine million standard drinks. Yes, there was a change in the consumption of ready-to-drink beverages—of course there was because they had just put the price up enormously. And people said: ‘I do not want to drink them. I cannot afford to spend $30 on a six-pack of ready-to-drinks, so what will it do? I will buy some beer or I will buy a big bottle of spirits and mix them myself.’

Where is the common sense in this debate? If you put up the tax on one product it simply transfers the consumption to other products or, indeed, to other substances. The increase in monthly consumption of standard drinks was nine million and that data says it all to me. I am approaching this from a position of realism, because I have lived and worked in the hotel industry and I have been exposed to it for all its good and all its bad. I will not stand by and listen to the people in the liquor industry being condemned by the other side of this chamber when its products are enjoyed responsibly by so many people. The people involved in the ready-to-drinks industry and the spirits industry are defending their own interests, and the interests of people who responsibly enjoy ready-to-drinks or spirits, and they have exposed that this is nothing more than a taxation grab that is not going to make a meaningful difference to alcohol consumption or binge drinking in this country. These industry representatives have been scathingly condemned for that by the other side of this chamber. Anyone would think we were dealing with an illegal product. We are not. We are dealing with a legal product that is enjoyed responsibly and the other side simply want to tax it to fight their war on inflation—a war that we know was phoney and unnecessary.

Sitting suspended from 6.30 pm to 7.30 pm

Senator BERNARDI—When you are giving a speech in a debate and your contribution is broken as mine has been by the suspension of the sitting, you are able to reflect on what you have already said. In case I stated it incorrectly, I want to reaffirm to the Senate the point I was making about the increase in net alcohol consumption in terms of standard drinks. I referred to a nine million increase in standard drinks year on year. What I want to clarify, to make sure it is understood, is that this is a nine million standard drinks increase in one month alone compared with the figure for the same month in the previous year. So, in January 2009, nine million more standard drinks were consumed than in January 2008. I am repeating this so that, firstly, the Senate understands exactly what I meant and, secondly, to highlight once again the folly of this tax on one sector of the alcohol industry. It has simply translated consumption from one product to another. The social engineers are well at work within the Labor Party, dressing up this tax and saying they are saving young people from binge drinking. Really, they are not saving people from binge drinking; they are transferring binge drinking or any alcohol consumption into other products and penalising, unfairly, millions of Australians. And they did it because they desperately wanted to grab some additional revenue to slow the economy when growing an economy was evil and was going to be the recipe for doom because the inflation genie was out of the
bottle, as Mr Rudd said. We know that was a myth. We know that was a hoax. We know that this government clearly has no idea and no capacity to manage an economy. But, gosh, it knows how to tax.

Ever helpful, I would like to suggest that if the government were serious about redesigning the tax system within the alcohol industry it would look to a more measured effect. It would not target a particular product that, in this case, has about the same alcohol content as a standard beer. It would not target a product that gave people a measured dose. If it were serious about this it would ensure that all products containing alcohol were taxed according to their alcohol content. I know that any number of people would disagree with that, but the fact is it makes sense—and, if we cannot bring common sense into this equation, what can we do? We have to have common sense in how we write and interpret legislation. To those who argue against it, I say: a beer with five per cent alcohol is the same as a ready-to-drink with five per cent alcohol or another beverage with five per cent alcohol. They are the same: they have the same impact and effect on people—unless I have missed something here about alcohol affecting people differently depending on what it has been mixed with.

So we have a refusal by this government to take on any serious reform. I understand there are sensitivities around introducing a volumetric based taxation system into the alcohol industry because it will affect a number of key sectors, including the wine industry. But let me put some cards on the table here. I am a great supporter of the wine industry and I think Australia’s future in wine lies in the upper, premium end of the market where we can add good value because we have outstanding grapes. If we are going to continue to compete in the lower, bottom end of the market I think we are going to get swamped. I say that not because I wish it to happen but because we see overseas countries that are lower cost producers and sometimes do not have the same resource restrictions that we do, most prevalently through government inaction on the Murray River which is reducing some of our wine grape growers to such meagre allocations of water that they cannot adequately grow grapes.

Rather than tackle that issue and take a sensible and measured approach and say, ‘Let’s look at how we can make a transition in this regard,’ this government says, ‘No, if it is something with sugar in it which is in a can that you have to open to drink, and if it contains alcohol, then it is the evil causing our kids to binge drink.’ It ignores the millions of people who drink responsibly in this country. And, as I said, it has been proved that the government’s approach has not decreased consumption of alcohol at all. I quoted the figures before, showing that nine million more standard drinks were consumed in January 2009 than in January 2008. Those figures are not in dispute; they are from a reliable dataset that is incorporated in the outstanding report that Senator Cormann and others have contributed to. If we accept that this bill has had no reasonable intended effect, and we say it is flawed and is no longer about slowing the economy—although the Rudd government is doing an enormously good job at slowing the economy and decimating families across the country—then what is it about? It is about cash. It is about Labor reverting to type: ‘We want your money. We think we are better equipped to decide how it is spent. We think we are better than you at deciding what is good for you.’ That is the theme of this government, except when it wants to throw billions of dollars out in a cash splash and says to people: ‘Yeah, you can go out and play the pokies and drink to your heart’s content. It doesn’t matter what you do with your money as long as you
spend it.’ That is the ill-considered policy contradiction of this government.

One question that has to be asked now is: if this revenue measure is not endorsed by the Senate, what happens to the $290 million from this tax that has already been collected? Frankly, there are any number of ideas. The alarmists will tell you that the alcohol industry wants it back and is demanding it back. The people in this industry have been characterised in the most vile and vicious way by those who are seeking to make a political point. It is really quite grubby when a legal industry is targeted so horribly in the name of defending a very flawed policy.

The coalition wants to see the $290 million in tax spent in a positive way that will benefit the community—through education. That is why I support the amendment moved by Senator Cormann in the second reading debate today. It is very important that we make a positive contribution to the community, particularly when there has been such a stuff-up by the government, who have lost control of their own legislative agenda. It has been such a stuff-up because it has not had a meaningful impact on binge drinking; there is no evidence to support their goals, and no anecdotal evidence; and it does not pass the common-sense test.

If a bill does not pass any of those tests, what should we be doing? We should be making the best out of it. Let us make the best out of this. Throw this silly legislation in the bin or, if you cannot do that, amend it so that the $290 million or so is spent in a positive manner. Will the Labor Party do that? It is a challenge to the Labor Party. It is going to be a challenge to the other senators in the chamber as well to see whether they will accept such a positive and inspired amendment as was moved by Senator Cormann.

We have to get serious about this. No more monkeying around. The Australian people have been sold a pup by this government. This government said that there is not a sliver of economic daylight between them and the economic conservatives. We now know that that is not true. This government said it would stand up for working families. We now know that that is not true, because there are fewer working families, and the working families who enjoyed a ready-to-drink beverage can no longer do so at a reasonable cost.

This government has been making slipshod decisions on the run, desperate for an agenda. It found an agenda and this agenda is absolutely flawed. It tried to slow the economy. It was so successful at slowing the economy that the economy is now teetering on recession. These are the issues that the Australian people are concerned about. They want to know that their standard of living is not going to be jeopardised and they do not want these hidden, grubby, low, taxation measures. And I say ‘low’ taxation measures because that is the scale at which they were slipped in, not because they are low-tax measures. They are low because the government slipped them in under the guise of worthwhile policy. They were slipped in under the guise of health measures, which has proved to be ineffective. This government is spinning out of control and this legislation needs to be rejected.

**Senator XENOPHON** (South Australia) (7.40 pm)—The Customs Tariff Amendment (2009 Measures No. 1) Bill 2009 and the Excise Tariff Amendment (2009 Measures No. 1) Bill 2009 are commonly known as the alcopops bills and they increase the excise rate and the customs duty rates applying to alcoholic beverages that do not exceed 10 per cent by volume of alcohol but include the mixing of spirits in their production. The stated purpose of these bills is to reduce youth problem drinking. This is based on the premise that young people, particularly
young women, prefer ready-to-drink beverages, otherwise known as RTDs or alcopops. Research shows that the more we can delay the start of youth drinking and the extent of unsupervised drinking the more likely we are to curb problem drinking in adulthood.

When introducing these bills, the Minister for Health and Ageing claimed:

… the increase in the rate applying to alcopops reflects the government’s concern at the growth in alcopop consumption, alongside their appeal to young and underage drinkers—and the role that they play in encouraging binge drinking.

She also claimed that the ‘alcopops measure is not the only measure the government is introducing to tackle alcohol abuse’. Clearly, the minister believes that the purpose of the alcopops tax is to target youth binge drinking, including underage binge drinking, because of the sweetness of these particular beverages. It is an idea that I fully support.

In my home state, Drug and Alcohol Services South Australia reports that in excess of 85 per cent of South Australian children over the age of 14 consume alcohol and 85 per cent of South Australian school students aged 12 to 17 have tried alcohol. Further, in South Australia statistics show that almost 65 per cent of the alcohol consumed is done so in a risky or excessive manner. It worries me deeply that so many young people in my home state, and indeed nationally, are putting their health and their futures at risk through unsafe drinking. When considered with the growing rate of binge drinking amongst our youth, it makes this a paramount issue of concern.

Before discussing these bills further I think I should declare an interest in these bills—namely, that I have a teenage son. I know that this sort of declaration may be unconventional, but he is the most important interest that I have. As a parent I am acutely aware of the influences of peer pressure, alcohol advertising and social modelling on young people like my son and his peers. I believe all parents share these fears, and in most Australian families one does not have to look too hard to find a relative who has had a problem with drinking.

Neither does one have to look too far to see the devastating impact of problem drinking on their partner, their children and their lives. I drink rarely, but I am no wowser. I believe that people should be able to enjoy a drink, particularly South Australian fine wine. But I believe that as adults we must drink responsibly, not only for our health but also for the sake of those who are silently watching our every action. With this in mind I want to commend the current DrinkWise campaign and the advertisement that is currently on television that highlights the role of parents in modelling responsible drinking.

So when the government announced a tax to target youth binge drinking, and specifically alcopops, I was hopeful. I was hopeful that all the revenue raised from the tax would go into health and education measures to address problem drinking; hopeful that the trial of the tax would result in a decline in overall alcohol consumption in Australia; hopeful that evidence would show that the tax also reduced binge drinking amongst our youth. Perhaps, as is my way, I was too hopeful.

When I looked at the initial alcopops package more closely I became concerned that it looked like the government was using a health issue to obscure what was primarily a revenue-raising tax. The alcopops initiative was not tied specifically to increased funding to reduce binge drinking. The initiative was not targeted beyond a claim that young girls, young people, liked RTDs. The initiative was not attuned to the possible substitution of other alcohol beverages or harder drugs.
But despite all this—to paraphrase The X-Files—I still wanted to believe that the truth was out there somewhere. I wanted to believe that this initiative would contribute to more people drinking less and fewer people drinking to excess. Consequently, over the last six weeks, I have repeatedly asked the minister’s office to provide evidence for the success of the alcopops tax. I have also asked my office to conduct a thorough review of all related research. This is because I believe the best way to distil the substance from the spin with these bills is to separate out each possible purpose of the tax and look at what the evidence says.

So my first question is simple: have these bills worked as a new tax? Clearly, the answer is yes. These bills will raise $1.6 billion in tax revenue for the government in the first five years, although it is significantly less than the amount first estimated.

However, my second question is a little more difficult: has this tax been used to support better health policy that targets unsafe drinking? It would seem that the answer to this is both yes and no. In response to a question I put to the government in February this year, Senator Ludwig explained that $872 million of new money from the alcopops tax will go to the National Partnership Agreement on Preventative Health with the states and territories. So, yes, this tax will support health and education initiatives. But the majority of this money will go into obesity, healthy activity and tobacco measures, all of which are worthy things. So the money raised under the guise of a youth targeted RTD tax is not being targeted to address youth binge drinking. Admittedly, the government has invested $53.5 million in the National Binge Drinking Strategy, but this was set aside anyway and is not tied to the new money from these bills. Further, $53.5 million for targeting problem drinking is nothing compared with the $1.6 billion to be raised by this tax or indeed the $6.75 billion, or thereabouts, in revenue that the government raises in alcohol excise each year.

While the government asserts that this is new money, how many of these projects are new and how many would have been funded in any event in the absence of this particular tax? That is an important question and I am still not satisfied with the extent of the answers I have received with respect to that. Despite my repeated requests for information, the government has not been able to be forthcoming about how much of the new alcopops money will go into new programs. Some would say the government is a bit elusive. In other words, the government is giving past initiatives or ones very much like them new names and new money so they can free up $872 million elsewhere in the budget. That is a question that needs to be asked. I look forward to answers from the government in relation to these questions.

My third question is the most complex of the three: has this tax had a direct health policy outcome by changing unsafe drinking behaviour amongst adolescents? As yet, I do not know. Let us consider if there is enough evidence to conclusively respond to this third question. Firstly, has the tax changed overall alcohol consumption?

Earlier this year, Senator Ludwig informed the Senate that the consumption of full-strength spirits had increased by 19 per cent between May and September 2008. Macquarie Research data suggests beer volume consumption was up 1.1 per cent for the November 2008 quarter against the same 2007 quarter. Curtin University reported recently in the Medical Journal of Australia that consumption of alcohol in April to June 2008 dropped by 2.7 per cent on same period of 2007. Meanwhile, Roy Morgan Research reported recently in its longitudinal, non-commissioned study of alcohol consumption

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that there was no change in consumption over the years 2007-08.

In short, overall alcohol consumption has continued the trend of recent years where there has been a slight decline, with fewer Australians drinking greater amounts. That is one assertion. In this, the alcopops tax may well have had a negligible effect, which leads to a second question: what has the alcopops tax done for RTD consumption? Treasury figures estimate that the fall in RTDs will result in a 10.5 per cent tax increase over the period 2008-09 and an increase of 15.8 per cent over 2009-10. This is largely due to a substitution to full-strength spirits.

Minister Roxon claimed in February this year that the alcopops tax has worked because tax figures say sales have fallen by 35 per cent in the last nine months compared to the previous year. Further, the ATO found a 54 per cent decrease in RTDs and a seven per cent increase in spirits in the period April to June 2008. Meanwhile, ACNielsen research has found that in May to November 2008 RTD consumed volume was down by around 27.6 per cent and the number of standard drinks down by around 31 million standard drinks. Over the same period, spirits consumption went up by around 12.6 per cent volume and 12.6 million drinks. That said, overall spirit consumption was down by about 10 per cent. ACNielsen also found that from May 2008 onwards RTD consumption was down significantly while spirits consumption was up, beer consumption was up slightly and wine consumption was down. Compare this with Roy Morgan Research, which found that RTDs as a part of total consumption declined from 7.9 per cent in 2007 to 7.2 per cent in 2008.

When focusing on the period since the introduction of alcopops, there has been a decrease from 7.9 per cent to 6.4 per cent in RTDs, but beer and spirits have increased. Morgan also found that total alcohol volume declined by 16 per cent for RTDs with an associated six per cent increase in beer and a seven per cent increase for spirits.

Curtin University research has found that consumption of RTDs in April to June 2008 dropped by 26.1 per cent from the same period in 2007. It found that there had been a shift to beer, which was up 1.5 per cent, and spirits, which were up by 11.2 per cent. This is only half the decline in RTDs. Roy Morgan Research, interestingly, conducted research which showed that 18- to 24-year-olds buy according to brand rather than price. This questions the very premise of the alcopops measure in the first place.

So what do all these statistics tell us? Unfortunately, not a lot conclusively, but it would seem that while RTD consumption is down there has been a substitution effect into beer and spirits. However, the evidence is not available to know to what extent.

My third and most important question is: has the alcopops tax reduced adolescent binge drinking? For this question we have virtually no data. We know that the 2007 National Health Survey found that high-risk youth drinkers prefer beer if they are male and spirits if they are female. This study suggests that high-risk youth drinkers do not prefer RTDs, which casts doubt on the targeting of the alcopops measure.

But, beyond that, my office has not been able to find any evidence and the government, as yet, has not been able to provide me with such evidence to address the issue of the effect of the alcopops tax on youth binge drinking. Rather, there has been government and departmental criticism of research that does not concur with the government’s position, a matter with which I do not wish to engage.
So what we have is a situation where the government and the distillers are trying to slug it out when neither has the ability to deliver the knockout punch in terms of conclusive evidence. The important question remains: is this tax having a direct impact on youth binge drinking? Of the evidence presented to me so far, not only do I lack enough independent research supporting the government’s claims, I also lack virtually any evidence that any changes have been caused by the alcopops tax. Even if I give the government the benefit of the doubt and accept that the available research results point to change, this change is at best correlated; it is not causal.

Put simply, drinking patterns may have changed, but we do not know that the alcopops tax did it. Other influences on changing drinking patterns over the last year include broader social attitudes to drinking, media coverage of changes, drink promotions, the influence of the Christmas period, cash handouts, end of school and Schoolies Week and changing attitudes due to the global financial crisis. Anecdotal evidence from people I have spoken to in the industry and in correspondence with my office would seem to suggest that many young people have just shifted to another drink. And when we view alcohol consumption in the context of an Australian culture that views drinking as a sign of celebration, a badge of masculinity or a rite of passage, the matter becomes even more complex.

I am yet to see the evidence that convinces me that this tax is meeting its claimed health policy objectives. My adviser working on our review of this research was previously a research fellow on an Australian Research Council project and an academic who has assessed dozens of postgraduate applications for project approval. He informs me that if one of his PhD students came to him with this collection of research as evidence to substantiate the alcopops tax, he would send them out of his office and tell them to try again. This is not because each of the individual research projects is of a poor standard; rather it is because none collect the correct data to answer the specific question. There is no hard data to tell us if the alcopops tax has reduced youth binge drinking. So, if one cannot decide on the evidence, one must look at other arguments.

I must admit I have been swayed by the calls of the AMA and other health organisation to support these bills because they, on anecdotal or other grounds, believe they will help. And, like most Australians, I am more inclined to trust my doctor than a distiller. So, on balance, I am inclined to support these bills, but there still remain a number of reassurances that I need from the government.

I would like to be reassured that more of the revenue gained from this tax will be invested into new projects that specifically target binge drinking in Australian society. It is interesting to note that a media release of the Minister for Health and Ageing of 17 November 2008 titled ‘National Binge Drinking Strategy’ referred to the approval of 19 community projects to tackle binge drinking, totalling about $3½ million—for example, Newcastle City Council for a project to manage environments in the Newcastle late night inner city to reduce the level of harm associated with binge drinking; the Broken Hill Community Drug Action Team for the Drink Safe Community Initiative; and the Lutheran Church of Australia for the On Friday Night in Kilburn Project. All these seem like good initiatives for the local communities involved, enabling them to give alcohol-free alternatives to young people. But this is $3½ million. It is a paltry amount. There were over 300 applications; if you assume that many of those applications were worthy
then what the government is putting into this is inadequate.

I would like to hear from the government what it is doing to address any possible substitution to other alcoholic beverages or harder drugs due to the introduction of the alcopops tax. I would also like a commitment from the government that it will commission independent research about alcohol consumption patterns and specifically problem drinking. With this information we will not find ourselves again trying to make such important decisions with such limited evidence.

Finally, I would like a detailed commitment from the government about any plans to address the important issue of the proper regulation of alcohol advertising. I thoroughly endorse the comments made by my crossbench colleagues Senator Siewert for the Greens and Senator Fielding on behalf of Family First. These are important issues, especially when you consider the impact of advertising. I refer to a University of Connecticut study published in the *Archives of Pediatrics & Adolescent Medicine*. This research found that for each extra alcohol advertisement experienced per month, young people consumed one per cent more drinks. I would expect that when it comes to sponsorship—and Senator Siewert referred to the VB sponsorship of some of our major sporting codes—it is even more pernicious and insidious in its impact on young people. These are issues that need to be tackled. The government, while it has made some commitments in relation to this, needs to go further and stand up to the alcohol industry and tackle these issues head on.

In summary, I want to believe that this tax will be responsible for a reduction in binge drinking in our community. But my question to the government is this: apart from my respect for the health and medical groups that have called for the continuation of this tax, why should I believe? The evidence appears inadequate, the existence of new programs is under question and the proposed health and education measures are not tied to this tax. The level of funding for these programs is quite paltry—quite inadequate in the scheme of things. It is inadequate in the context of the $1.6 billion this tax will raise over the next few years. It is woefully inadequate in the context of $6.7 billion that the Commonwealth raises from alcohol revenue each year.

My hope for the committee stage is that the government can provide the evidence and reassurances that I have requested so that my final decision can be made on concrete commitments rather than just hope and faith. I indicate my support for the second reading of these bills but reserve my position in relation to the third reading. I look forward to further discussions with the government in relation to this in the very near future.

Senator FURNER (Queensland) (7.58 pm)—I am pleased to be able to speak today in the chamber in relation to the Customs Tariff Amendment (2009 Measures No. 1) Bill 2009 and the Excise Tariff Amendment (2009 Measures No. 1) Bill 2009. As a member of the Senate Standing Committee on Community Affairs I was present at the two public hearings in Canberra on 10 and 11 March 2009. Following the tax increase in 2008, the committee conducted inquiries into ready-to-drink alcohol beverages and the Alcohol Toll Reduction Bill 2007 [2008]. These inquiries provide some important context for the current inquiry. In particular, the RTD inquiry found:

Risky and high risk drinking by young people and underage drinkers—particularly young women—has become a major public health issue.
Data over recent years has also highlighted the rise in popularity and influence of pre-mixed alcohols, known as ready-to-drinks (RTDs) or ‘alcopops’ … on teenage alcohol use, particularly for females.

And RTD beverages are a popular and commonly ‘first-used alcoholic beverage among younger age groups’.

The purpose of these bills is to bring into force the government’s decision to increase the excise and customs duty on the beverages commonly known as ready-to-drink beverages or alcopops. On 27 April 2008, the excise rate on such beverages was increased from $39.36 to $66.67 per litre of alcohol content. The bills will obviously reverse the Liberals’ decision in 2000 to give alcopops a tax break.

During the recent inquiry into RTDs, the Australian Institute of Health and Welfare, AIHW, submitted that there is no agreed definition of the term ‘binge drinking’; it can mean either excessive consumption on a single occasion or a prolonged period of drinking. Accordingly, the AIHW preferred the language used in the National Health and Medical Research Council guidelines, which use the terms ‘risky’ and ‘high-risk’ drinking. It would be fair to suggest that no-one could establish a definition of binge drinking as a result of the inquiries.

The increase to the excise and customs duty was duly supported by public health and drug experts on the grounds that it would help to reduce risky drinking among young Australians, reduce their exposure to alcohol and lead to positive health outcomes. Those in opposition to the increase to the excise and customs duty generally came from the alcohol industry, such as the industry representative bodies and producer groups, which tended to favour evidence and views that questioned the effectiveness of price increases in reducing consumption and which highlighted the role of substitution in undermining price-increase approaches to reducing consumption. Some witnesses voiced their support for a form of volumetric tax; however, that is not the purpose of these bills.

The committee was provided with copious amounts of data, and a number of sources of evidence were relied on by submitters and witnesses. In general terms, the sales and consumption data rather than the survey data as the basis for its findings in relation to the inquiry’s terms of reference demonstrate a more reliable source. The basis of this preference was described by Professor Steven Allsop, who appeared before the committee in a private capacity. He said:

… it is universally accepted that sales data are strongly and closely aligned to consumption of alcohol and are preferable to survey data. Survey data … are notoriously flawed in their capacity to accurately account for consumption. Even national surveys with very large sample sizes, like the highly regarded National Drug Strategy Household Survey … account for less than 60 to 70 per cent of alcohol known to be consumed from sales data. … The reason is that there are a number of methodological problems, including the frequently observed phenomenon that people, either in error or deliberately, underestimate their personal alcohol consumption.

The Australian Taxation Office clearance data is the amount of taxable alcohol in beer, spirits and RTDs sold in Australia. Compared to the same period in 2007, the clearance figures for the period May to September 2008 showed a 34.6 per cent decrease in alcopops clearances. A number of witnesses and submitters relied upon the ACNielsen Liquor Services Group data showing the number of standard drinks consumed in May to July for the years 2007 and 2008 by beverage type. That data showed a 26.1 per cent decrease in consumption of RTDs, which is equivalent to 91 million standard drinks; a 1.5 per cent increase in consumption of beer, which is equivalent to 13 million standard
drinks; and a 2.6 per cent decrease in consumption of wine, which is equivalent to 21 million standard drinks. The Nielsen figures showed a 2.7 per cent decrease in consumption, which is equivalent to 64 million standard drinks. Mr Strachan, the Chief Executive Officer of the Winemakers Federation of Australia, indicated that the whole of the industry relies on those larger companies which purchase Nielsen and that that is a fairly strong indication that they think it is reliable. In his view, it is the best around and it is highly likely to be reliable.

The budget papers from May 2008 estimated the excise and customs duty increase would deliver an ongoing gain to revenue of $3.1 billion over the forward estimates—notwithstanding that the explanatory memorandum to the bills provided a significantly lower updated estimate of $1.6 billion over the forward estimates. Mr Colin Brown, Manager, Costing and Quantitative Analysis, Department of the Treasury, advised the committee on the assumptions underlying the estimates of forward revenue arising from the measure. Mr Brown noted that, taking into account an initial drop in demand for RTDs, the projections assumed an ‘underlying rate of growth in RTDs’ that accounted for future growth in population and the economy. If senators vote against this bill, not only will the liquor distillers make an enormous amount of money but, in just a few weeks, teenage girls will be back paying pocket money prices for lollywater drinks.

Senator Bernardi, in his contribution to this debate, questioned what would happen to the $290 million in returned excise if these bills were defeated. One member in particular of DSICA is demanding the return of his share of the excise if these bills are defeated. That is an indication that people out there in the industry want their money back should these bills be rejected.

The Alcohol and Other Drugs Council of Australia indicated that there is currently ‘minimal data to either prove or disprove significant substitution effects’. However, it expressed the view that the ATO data did show that, while there was a substitution from RTDs to full-strength spirits, total spirit consumption fell by 334,000 litres of pure alcohol. The ADCA also referred to data provided by ACNielsen ScanTrack showing that, from January to November 2008, there was a 2.3 per cent decrease in the value of the dark RTD market and a 0.2 per cent increase in the value of the light RTD market.

Ms Pezzullo, Director of Access Economics, in her evidence to the committee claimed to have anecdotal evidence from Adam of Sydney, who said:

I’ve got to say that I personally have increased my consumption of spirits as I now buy a bottle of Bourbon every couple of days now instead of the 2-3 cans of ‘Woody’ I used to … but now that I have a whole bottle of spirits sitting there, after I’ve had a couple, as long as I’ve got enough coke to get me through, I tend to drink a few more. Yes, it is cheaper, but I know I’m drinking more. I just can’t afford to be buying 4 cans of bourbon premix for $20 when I can buy a 700ml bottle of bourbon with 2 litres of coke …

You would really have to challenge this evidence on the sole basis of trying to find a liquor outlet that sells a 700-millilitre bottle of bourbon and two litres of coke for $20. Maybe Adam was flying in and out of the country every couple of days and purchasing it duty free.

The Choice website shows that alcopops are very appealing to younger people and contribute to underage and binge drinking. In Choice’s trial, 24 per cent of the 18- to 19-year-olds thought there was no alcohol in the alcopops they tasted. The regulation of alcopops marketing—and of alcohol more generally—does not effectively protect teenagers.
Parents need to get involved and keep the lines of communication open.

The committee also became aware of websites on Facebook condoning and encouraging youths, mainly women, to photograph themselves drinking various types of RTDs. Some bloggers went to the length of identifying themselves as young school-age children. In one case, a young girl appeared to be in a school uniform.

Last year the New South Wales Commissioner of Police estimated that ‘something like 70 per cent of every police engagement with a member of the community in the streets of New South Wales has alcohol as a factor’. Surely our police have better things to do than go around to clean up the mess that RTDs generate among the youth in our society.

The Winemakers Federation of Australia conducted a comparison of the long-term compound growth rate of total wine sales with the compound monthly growth rate for the eight months after the tax increase. It concluded that, taking into account normal seasonal trends, there was no evidence of substitution of wine for RTDs. ADCA’s submission, having considered the ATO clearance data as well as the ACNielsen consumption data, concluded the tax increase: … was designed to specifically reduce consumption of one type of beverage, ready-to-drink spirits. On that measure, the tax reform appears to have been successful.

The National Drug Research Institute noted that the ACNielsen data showed that since the increased tax there had been 43 million fewer standard drinks consumed as RTDs. Associate Professor Anthony Shakeshaft from the National Drug and Alcohol Research Centre commented that the extent of the changes in consumption of RTDs demonstrated the potential for price measures such as tax increases to influence consumption behaviour. All of this evidence clearly shows a reduction in consumption of RTDs firmly in the context of long-term consumption patterns, demonstrating that the 34.6 per cent reduction was even more significant considered in this light. Professor Chikritzhs provided figures which revealed the effect of growth in RTD sales post 2000 on consumption levels of young people. He said:

In 1999, before reductions in tax and in the retail price of RTDs in 2000, RTDs were the preferred beverage of about 23 per cent of 12- to 17-year-old female drinkers. By 2005, after the tax decrease, 48 per cent of young females drank RTDs, while the preference for higher-taxed spirits fell from 42 per cent to 30 per cent. For 12- to 17-year-old males, RTD consumption increased from 6 per cent to 14 per cent.

Mr Munro, National Policy Manager of the Australian Drug Foundation, drew attention to ACNielsen data and showed a 38 per cent decrease in sales of vodka based RTDs with more than six per cent alcohol, and described this as a significant result in the context of the stated intent of the tax increase.

We have heard from those opposite of the belief of youths mixing their own spirits with their mixers and leading to an increase in drinking. There has been no evidence of the amount of consumption anywhere that indicates an increase where consumers choose to buy a bottle of spirits and mixers, nor was there any evidence of the amount of mixers purchased when consumers purchase bottled spirits—none whatsoever.

Development of beer and wine based alternatives to RTDs resulted from the introduction of the tax on RTDs. Beverage companies had responded to the increased excise and customs duty by developing so-called ‘malternatives’. The government acted decisively on this and on 25 February 2009, in recognition of malternatives and the potential for similar wine based products to be developed, the government moved amendments to
the bills to ensure that such products do not undermine the purpose of the 2008 changes by providing substitutes for alcopops that are not subject to the duty increase and are therefore cheaper.

We heard evidence from the ADCA that excessive consumption, understood as risky and/or high-risk consumption in relation to short- and long-term harm, is prevalent among consumers of alcohol. In particular around 50 per cent of alcohol is consumed at risky or high-risk levels for short-term harm and around 40 per cent of alcohol is consumed at risky or high-risk levels for long-term harm.

Recent changes occurred when, on 6 March 2009, the National Health and Medical Research Council released new guidelines on safe drinking. The new guidelines specify that two standard drinks a day for both men and women and four on one-off occasions is advisable to avoid alcohol related injury or disease. The guidelines emphasise the risks of alcohol consumption for young people, saying that people under the age of 15 should not drink at all and that persons between 15 and 17 years of age should delay drinking as long as possible. These new guidelines provide a lower level of alcohol consumption to avoid alcohol related harms than the previous guidelines, effectively lowering the consumption level that should be classed as risky or high risk.

One would only need to accept a clear understanding that the National Health and Medical Research Council made this change in warnings and guidelines for a sole reason. The reason is clear to most of us—that is, we have a drinking problem in our society, particularly amongst our youth. An industry insider recently told the Age that companies targeted young people by sweetening drinks to mask the taste of alcohol. The insider indicated:

These figures prove that RTDs are consumed by the riskiest drinkers and pose an immediate threat to the health and wellbeing of teenagers around Australia. Some single cans contain almost three standard drinks, which means young people get drunk quickly.

Thousands of teenagers are admitted to hospital after overdosing on alcohol each year. Some suffer permanent brain damage, and some die, yet the industry is increasing the strength of drinks favoured by the youngest binge drinkers.

Many witnesses and submitters, particularly those representing health bodies, endorsed the changes. In particular, Professor Alan Moodie stressed the importance of a comprehensive, long-term, multipronged approach. He said that we should look at some of our past successes in Australia and he referred to tobacco, road trauma, skin cancer or cardiovascular disease as examples of how we have been able to make inroads in those insidious diseases.

Even Dr Rosanna Capolingua, President of the AMA, also expressed support for a comprehensive approach:

We support the alcopops tax in the context of broader measures to address harmful drinking, particularly among young people.

The AMA believes that the positive potential of this tax measure would be significantly strengthened if the government ... implemented a multifaceted and substantial strategy of alcohol harm reduction and prevention measures addressing alcohol marketing, advertising, labelling and early intervention.

Even within the industry, DSICA was supportive of the government’s broader preventative health strategy, particularly as it relates to reducing alcohol related harm, stating:

DSICA recognises and commends the Government’s focus on preventative health, and ... the creation of the Preventative Health Taskforce.

In conclusion, particularly as a parent of young teenage children, over the years I have been involved firsthand with young children
who have been affected as a result of indulging in alcohol and particularly RTDs. We need to try to tidy up this particular issue for our youth. By no means am I a wowser. However, we need to introduce appropriate measures such as in these bills to try to turn the tide on the drinking culture, which is currently getting out of hand. I commend the bills to the chamber.

Senator HUMPHRIES (Australian Capital Territory) (8.16 pm)—I rise in this debate tonight on the Customs Tariff Amendment (2009 Measures No. 1) Bill 2009 and the Excise Tariff Amendment (2009 Measures No. 1) Bill 2009 because I know there will be people in the Australian community who are going to read the Hansard from tonight or who have heard parts of this debate and who will hear the logic that is being used by government senators, and they will be attracted by the logic which is used by those senators. But I put to the Senate that that logic is very flawed. It is logic which is not followed through in a way which actually demonstrates cause and effect of the kind that this Senate should be identifying and acting on as the basis for its actions, particularly actions that have the effect of imposing taxation on the Australian community to the tune of well over $1½ billion. The logic used by the Labor senators in this debate is along these lines: we have a major problem with the abuse of alcohol in the Australian community; too many people, particularly young people, are using it at excessive levels; and the costs to the broader community are very severe; the government is acting on this problem by imposing a tax on the areas where apparently young people are heavy consumers of particular alcoholic products; therefore, the Senate should support the government’s attempt to attack this problem of excessive drinking by young people, and the government should therefore rely on the support of all parties in the Senate to pass its legislation.

That superficially sounds very attractive, but it hides a multitude of intellectual sins. Firstly, I am certain that nobody in this place would dispute that alcohol is a terrible scourge in the Australian community and that it would be completely wrong to oppose measures that genuinely reduce the abuse of alcohol in our community, particularly by younger Australians. But senators in this place need to go one step further and satisfy themselves that what is being done by the government is actually making a difference to the harmful levels of alcohol consumption by the Australian community and particularly by young Australians.

I concede the evidence does tend to suggest that there may have been some reduction in the total amount of alcohol sold to the Australian community as a result of this tax. But what is not clear and what was not demonstrated by any witness during the Senate Standing Committee on Community Affairs inquiry is that this reduction in alcohol consumption is actually occurring among younger drinkers—or in fact among drinkers of any age—who are presently abusing alcohol. That is the problem which this legislation encounters, legislation which imposes a colossal burden on certain people in the Australian community who consume these products.

Senator McLucas—Kids.

Senator HUMPHRIES—The minister at the table says ‘kids’, but we do not know that it is kids.

Senator McLucas—We have got a good idea.

Senator HUMPHRIES—We might assume it is kids, but it is also fair to suppose—because we are dealing with supposition here—that many young people are substituting their alcohol in so-called alcopops
with alcohol in free spirits, spirits that they mix themselves; and that the reduction in alcopop consumption is attributable to those older or more mature users of alcopops who have decided that cost is a factor in their consumption and they are moving to other, less expensive drinks. That hypothesis is as equally plausible as the hypothesis which the government has glibly asserted during this debate: the consumption of RTDs is going down; therefore our measure must be working in respect of abuse of alcohol by young people. The evidence simply is not there.

The danger in this scenario is that, while the evidence is not there, we know that at some point somebody is going to obtain evidence about the effect of this tax increase on the consumption levels and abuse of alcohol by younger Australians. And if that evidence, which this side of the chamber was expecting to have been obtained by the government during the last 12 months, does indeed suggest that simply substitution has been occurring and there is no significant improvement in the level of alcohol abuse by younger Australians, then the measure is repudiated, the public policy process whereby we make decisions on these matters is comprehensively undermined and future measures which rely on knee-jerk reaction or gut instinct about what needs to be done will be under a cloud—as perhaps they should be. But we cannot afford to make that mistake when so much is at stake in terms of the tax burden on the Australian people and when we potentially do so much damage to an industry which presently employs thousands of people in the sale of a perfectly legal product; namely, ready-to-drink beverages.

I think what has happened here is that many stakeholders in the community, particularly health stakeholders, have been urged more vigorous action on the part of government to deal with the problem of alcohol abuse for some time. Those people have been heartened by the announcement by the government that it would impose a very heavy level of taxation on a particular part of the alcohol market. Those stakeholders have been stampeded into supporting this measure—despite the lack of evidence before it was imposed that it was going to work and despite the lack of evidence that in the 12 months or so since it has been in operation that it has made any difference in this particular area—and have been prepared to support the measure because they have desperately wanted something to be done for a long time. At last something is being done and they are prepared to support it irrespective of the lack of hard evidence that usually such people in debates on public policy prefer to rely on when supporting or opposing particular measures. That is very sad, because if this measure is not having a positive impact on the level of abuse of alcohol by young people, as we on this side of the chamber believe may well be the case, and that evidence ultimately becomes available, then we will put back the wherewithal for a sensible debate about these sorts of reforms very significantly in the future, and that would be a great pity.

What this government has presented as being very unsatisfactory I think is an almost deceitful approach towards the task of demonstrating the worthiness of its legislation. It introduced the tax almost a year ago. It relied on the capacity of governments to delay the introduction of the legislation underpinning this taxation for almost a year. I think it would be reasonable for people observing this process to have assumed that the reason for the delay was not the heavy nature of the government’s legislative program—I do not need to remind senators that there have been a number of occasions where we have had no business to do in this chamber in certain weeks—but, rather, the government was delaying the introduction of the legislation in
order to collect the evidence that this measure was going to deal with the problem that it said was going to be addressed—excuse my assault on the microphone.

Senator Fifield—You must be angry.

Senator HUMPHRIES—I must be angry, indeed, Senator. That evidence has not been collected. The interval of one year has not been used to produce the case for this legislation. The government has not even gone away to research this issue, to the best of our observation on the Senate inquiry. If we had been assured that there was some long-term research underway by the Australian Institute of Health and Welfare, or something of that kind, we would have been reassured, but it is not there.

Senator McLucas—It is there!

Senator HUMPHRIES—It is not there, Minister. We asked. I suggest that, if senators who were not part of the inquiry have any doubt about that, they should read through the last three or four pages of the minority report on this inquiry and see all of the witnesses—the National Drug Research Institute, the AMA, the Alcohol and Other Drugs Council, the Alcohol Education and Rehabilitation Foundation, the Australian Drug Foundation et cetera—who were asked the question: ‘Have you seen any evidence of the positive effect of this legislation on use or abuse levels by young people?’ Every one of them said, ‘No, we have not seen that evidence.’ Without that evidence, it makes it very hard for the Senate to act in a responsible way in supporting legislation of this kind.

As I said before, we have been working on the basis of supposition to some extent. Without that hard evidence I just spoke of, we have been asked to assume that a measure attacking alcohol through taxation must necessarily be an effective one. But I think that it is perfectly possible to suppose a quite different scenario—that is, the young people who are presently abusing or have in the past abused alcohol are simply finding other, cheaper ways to access that alcohol. I had an email from a young man in New South Wales after the tax was first imposed. I think it is worth reading part of that email to the Senate:

I am a 21yo male living in NSW. I voted for Labour in the election, indeed I voted for Maxine McKew in place of former Prime Minister John Howard. I have always considered myself a ‘labour man,’ and it never crossed my mind to vote liberal, indeed I thought I never would. However, the action the Labour Government is taking toward the ‘Alcopops’ is one which I find completely unacceptable, and your opposition to which I can’t help but to support. While I myself do enjoy alcohol, I must stress that the tax increase will not affect me much at all—I never drink RTD’s. I drink wine, beer and if I drink spirits, I mix them myself. So you must ask why it is that I am so opposed to the new legislation, despite my habits indicating that I will be virtually untouched by the new taxation. I find myself completely at a loss as to how it is the Labour Government even concieved such an idea, nevermind thought it was a good one. The logic in itself is almost childish in its application, ‘What drinks are the young binge drinkers drinking? Well the money spent in Marketing seems to indicate that they have a preference for the RTD’s so we should make them more expensive.’ Of course the logic is just as childishly put aside as is demonstrated when I asked my younger sister (she is 17) what her friends would do—’Drink straight spirits or goon (cask wine)’ was the reply. So all the Labour Government is achieving by implementing this law is simply to push young children who wish to drink to do so with drinks that are at least twice as strong as the RTD’s they are wishing to ban?? As I said, I am completely at a loss as to how this was ever supposed to work.

This is not some apparatchik who has written an email to support the case the opposition made; this is a person who has contacted me to demonstrate very logically what young people who presently access alcohol would think about a tax on a particular kind of al-
cohol. Of course they would migrate to some other kind of alcohol, some other kind of beverage that still allows them access to alcohol—but with all the concomitant dangers that the use of bottles of straight spirits and other mixers present to young users when mixing those alcohol products themselves. That is a perfectly plausible explanation of what young people would do. Young people will stop using alcohol because one particular kind of alcohol is more expensive? I do not think so. I think the evidence will suggest at the end of the day that that is not the case.

Some of the advocates for the government’s legislation who came before the inquiry suggested that this was a good move because it was the first step towards a volumetric approach to alcohol taxation. That sounded good superficially but failed at a rather obvious hurdle: if you were to tax Australian alcohol volumetrically and achieve the same tax take that we now achieve from the taxation of alcohol, we would in fact reduce, not increase, the taxation levels on RTDs. On a volumetric approach, RTDs are overtaxed. You would need to reduce the taxation in order to achieve a volumetric approach, so that argument was spectacularly illogical—unless, of course, you have an argument that we should increase the level of taxation across the board. That model, incidentally, raises many billions more in taxation from alcohol than is the case at the present time. If that is the ambition of the government, I would be pleased to hear it, because I would be surprised if they were prepared to admit that to the Australian community. Perhaps it is their ambition.

The other point that was conceded by most of the witnesses is that a strategy which relies simply on one plank, which is to increase alcohol taxation levels on one particular form of alcohol, suffers from an immediate and obvious problem: it is not part of a concerted, across-the-board attack on alcohol abuse. There needs to be a broad approach not just across different forms of taxation but also with different measures dealing with availability of and access to alcohol, which is in the purview not only of the federal government but also of the state governments and sometimes even of local governments. The lack of that strategic approach was very evident in the comments made by witnesses to the inquiry. This government was not in a position to say, ‘We are working with state governments to look at hotel trading hours, promotions on billboards, advertising in local communities and so on’—or, for that matter, at issues of television advertising of alcohol. None of those things were part of this strategy. There were no measures of that kind that were alluded to except that the government was putting aside about $50 million from its $1.6 billion worth of tax take for some preventive activities—a pathetic token gesture given the enormous amount of money the government is raising, even taking into account that its tax take has approximately halved from what it originally estimated it would be when this measure was first announced at this time last year.

This adds up to a very unsatisfactory package. It adds up to a half-cooked chicken, and I do not think the Senate should pass something so un-thought-through into law. I think the Senate has been disregarded and abused by having this legislation brought forward so late in the 12 months that the government had to validate its announced taxation measure from March or April last year. If it had been serious, it would have engaged the Senate on this issue much sooner. It has not done so, very clearly, because it did not have the evidence, it knew it could not produce the evidence and it thought that, the larger the amount collected under this measure, the harder it would be for the Senate to knock it back. I am sorry; I
do not think that is a good enough political reason to support legislation which is essentially flawed. I say to the Senate that if evidence can be produced that this legislation in the future will actually reduce the harmful intake of alcohol by young people I would unquestionably be over there, voting with the government to support it. But evidence is not there. Until the evidence is there, I think it is quite irresponsible to expect the Senate to take this sort of measure on trust and to support it. I hope there will be the evidence based approach that we all should live by, particularly when such enormous amounts of public money are being talked about.

Senator FIFIELD (Victoria) (8.36 pm)—It is always a great pleasure to follow the ever-thoughtful Senator Humphries, one of the great legislators of this chamber. The tax we are debating is yet another example of Labor’s nanny-state approach to governing. The government contends that this legislation, the Customs Tariff Amendment (2009 Measures No. 1) Bill 2009 and the Excise Tariff Amendment (2009 Measures No. 1) Bill 2009, is intended to reduce binge drinking. I do not accept that contention for one second.

The RTD tax is nothing but a naked tax grab. Even if we give the government the benefit of the doubt, even if we accept their claims at face value, the truth is you cannot solve social ills through a tax. You cannot cure the ills of society through a tax. You cannot change behaviour and you cannot eliminate binge drinking through a blunt tax. If it were possible to do this with binge drinking then it would also be true for obesity, smoking and tooth decay. Through applying the right tax at the effective and appropriate level to the offending cigarettes, foods and beverages, surely we could stop smoking, tooth decay and obesity, as well as binge drinking. But, as every senator in this chamber knows, that is absolute nonsense.

The government, or at least its senior members, know this as well as we on this side of the chamber do. Some on the other side of this chamber with a social-engineering heart may have a genuine but wrongly held belief that you can cure social ills through a tax. But the architects of this tax in the other place—Mr Rudd, Mr Swan and Ms Macklin—know better. They are smarter than that. They know that this tax is nothing but a tax grab.

But, as is so often the case, it is much more important for Labor to be seen to be doing something than to actually do something practical. I must say that Labor’s approach to taxation of RTDs reminds me very much of the Victorian government’s approach to binge drinking and alcohol related crime in the city of Melbourne. The state Labor government’s solution to that issue was not to put more police on the beat, was not to have an education campaign and was not to put more public transport on; no, the Victorian state Labor government’s solution was to institute a 2 am lock-in. If you were at a venue—a bar or a nightclub—once 2 am hit you had to stay in. If you left, you could not come back in and you could not go into another venue. You had to stay in. That was the brilliant solution: the 2 am lock-in. That was the nanny state’s solution. Their objective was not to address the problem, which was a law and order issue; their approach was to punish small business and young people, the majority of whom do the right thing. That 2 am lock-in trial went for a few months, but—surprise, surprise—at the end of it the government decided that it had not worked. Such is the case with this particular legislation as well. That sort of approach never works.

When the Rudd government introduced this particular tax grab on premixed alcohol in its first budget, it claimed, as I have said, that it was a measure to address concerns
about drinking amongst young people. It claimed that binge drinking had reached epidemic proportions amongst Australians aged 14 to 19 and that only a tax increase on these popular drinks could tackle the looming health problem. I have Mr Swan and Ms Roxon’s media release of 13 May 2008 here—it was quite some time ago, 13 May 2008—which cries:

Binge-drinking is a community-wide problem demanding a community-wide response, and this decision by the Rudd Government is an important part of that response.

Well, was it? Let us see. I must say that the dissenting report of Senator Cormann, Senator Humphries and Senator Birmingham sheds a lot of useful light and provides a lot of good information on this subject and whether that great media release of 13 May last year did fulfil its promise.

The opposition and many in the industry were wary that this tax was not a health measure but, as I said, simply a policy designed to raise revenue. The claim was that a 70 per cent increase in excise on RTDs—a narrow category of alcohol beverage—would help reduce rates of binge drinking amongst Australian youth. That decision, taken nearly a year ago, should be very easy for the government to defend if it has worked. They should be able to point to tangible benefits from the introduction of the tax, such as declining rates of binge drinking and reduced hospital admissions amongst the target group of young drinkers, especially females. But the government have failed to do so. They have been unable to provide any solid evidence to prove that this tax is achieving its objectives. We do not have to go any further than the opposition senators’ minority report to discover that:

The government by its own admission did not even try to get the evidence to demonstrate whether or not the measure had reduced at risk levels of alcohol consumption or alcohol abuse related harm.

In answers extracted from Treasury as a result of an Order of the Senate the Government admitted that beyond the 2007 National Drug Strategy Household Survey (before the measure was introduced) it had:

“not collected any additional national consumption data on the reduction of risky or high risk and/or at risk behaviour since the introduction of the RTD excise increase in April 2008”

They have not collected any additional data. I thought that government senators might actually try to hide this fact in their majority report, but I was actually surprised by their honesty. At 1.195, they write ‘notwithstanding its partial and inconclusive nature’, referring to the partial and inconclusive nature of the evidence.

Senator Cormann—that is as bad as it gets from government senators!

Senator Fifield—Indeed! And they go on to say at 1.196:

… it was not possible to definitively conclude that this reduction in consumption had resulted in a reduction in levels of risky and high-risk consumption of RTDs by young women, leading to improved health outcomes.

Well, what is the point? If you do not actually have the evidence to prove that the purpose of the tax is being met, what is the point of the tax? Government senators themselves recognise the complete and utter lack of evidence at recommendation 1:

The Committee recommends that the government develop strategies to facilitate the collection and coordination of national public health data to better inform policy approaches to the reduction of alcohol-related harms.

In other words, there is no evidence. That is why the No. 1 recommendation of the government’s own majority report is: ‘We had better set about the task of finding evidence.’ That is quite extraordinary and quite a damning admission.
Further to that, a report by Access Economics found that there has been no meaningful decline in the rates of hospital admissions of people aged from 12 to 24 for alcohol related illnesses. When you look outside the government’s own resources and evidence and you look to independent evidence, you cannot find any there, either. You would think that, if binge drinking were being reduced, one area in which you would see results would be hospital admissions. After all, the government TV campaign focused on teenagers vomiting, suffering from alcohol poisoning, getting in furious and serious fist fights in nightclubs and leaving with blood streaked faces, and falling through glass coffee tables and ending up with multiple severe cuts and wounds. Despite the tax and despite this advertising campaign, those admissions have not budged one bit.

I concede that the sale of RTDs has fallen, but we have no indication of where that fall occurred. Was it among binge drinkers? We do not know. Was it among vulnerable youth? We do not know. Was it among those who are sensible and moderate drinkers? We do not know. From which category has the new legion of full-strength spirit drinkers emerged? If it is from young, vulnerable drinkers, the government policy may have done more harm than good. Bizarrely, the government have made no efforts to measure this. They have not gone to any lengths to analyse the effects of the new tax. They were simply unable to answer senators’ questions on these topics during recent estimates. How can they be confident that this tax is the right approach?

Most health experts advocate an approach to taxing alcohol that directly contradicts the government’s position. That is even though many of those experts appeared before the Senate inquiry to support the government’s measure. Volumetric taxation, where lower concentration of alcohol in a drink attracts a lower excise, would use a graduated level of taxation to discourage consuming products with higher levels of alcohol by volume. The government’s decision to tax premixed drinks, which have similar levels of alcohol concentration to beer, at the same rate as raw spirits creates the bizarre incentive to consume products with higher levels of alcohol by volume. The reality is that the government did not introduce this tax as a health measure. If the health and welfare of young Australians were in the forefront of its mind then it would have introduced volumetric taxation measures. That would have been one approach.

The reality is that the government were looking to raise revenue, pure and simple. This tax was supposed to raise $3.1 billion in extra revenue for the government. It was one of the three major tax hikes in the Rudd government’s first budget. The Rudd government wanted to prove something in that budget to the Australian people. They knew that the Australian people were rightly sceptical about their ability to manage the nation’s finances and keep Australia out of debt—how funny that is now—and they had a plan to send a strong message that they were different from previous Labor governments. They are not so different after all.

They said that they were going to post the biggest budget surplus in recent history, but they did not want to do so with politically painful spending cuts. Because Kevin Rudd ran as an economic conservative in the federal election, they could not get away with personal income tax hikes or company tax hikes. So what did they do? They went for the politically easy tax grab. First they went for luxury cars. No-one was going to put up much of a fight to defend cheaper BMWs or Mercedes imported from overseas. Then they went for the North West Shelf gas project. No-one was going to die in a ditch to defend a big oil company. Lastly, they went for the
alcohol industry. We were told that they were simply trying to look after the health of young Australians who were risking their futures by binge drinking on sugar flavoured pre-mixed drinks. They thought that they would tug at the heartstrings so that people would buy it and they would get this tax grab through. The government was simply eyeing the $3.1 billion in tax revenue that the grab could deliver them.

Unfortunately, Labor’s tax grab has had serious consequences for young Australians. It follows logically that raising taxes by type of alcohol will not stop people drinking all types of alcohol. It will just lead them to switch from the newly expensive drinks to the other cheaper alternatives. It is obvious when you think about it. If product A becomes more expensive you will transition to product B, which is cheaper, which has the same effect and which, if you mix it in the right combination, can have the same flavour. It is obvious; it is clear. It is what is called the substitution effect. Anyone with a rudimentary understanding of economics—or even a rudimentary understanding of human nature—would be able to tell you that that was what was going to happen. This tax has done just that: it has led to a major and significant substitution effect.

How do we know this? Well, we can hazard a guess after looking at the figures. Between 1 May 2008 and 31 January 2009, the sale of full-strength spirits increased by 17 per cent. I wonder why that was? As I said, this would not come as a surprise to anyone who knows the first thing about economics. When the price or availability of their desired product changes, consumers substitute the next best thing. For those who drink RTDs—typically a liquor such as vodka mixed with a soft drink like lemonade or raspberry flavoured soda—the choice is easy. They get the now comparatively more affordable full-strength spirits and some soft drink and mix it themselves. It is the obvious thing to do.

But there are serious consequences to this decision. Inexperienced drinkers, unable to easily measure their drinks, may well be pouring these drinks themselves and making concoctions that are far too strong. As a result, they may end up consuming much more alcohol than they intended. This is particularly a risk with the government’s supposed target group of 14- to 19-year-olds. By contrast, premixed alcohol is clearly labelled; you know what you are getting. You can see the alcohol on the side of the bottle or can and you can even measure pretty easily the number of standard drinks you are consuming. It is much easier to monitor the number of drinks that you have had in that situation.

If you are mixing your own, perhaps for the first time, you will have little idea of what you have actually drunk. The massive increase in sales of hip flasks—by 20 per cent according to the alcohol industry—further underscores this point. We do not need to think too hard as to what may be going into those hip flasks or why their sales have increased so dramatically. There is no doubt that, this weekend, teenagers across Australia will be swigging full-strength spirits or spicing up their Diet Cokes from flasks in their back pockets. This is something that I am sure is happening more often than before this tax was introduced. No doubt parents will have to pick up their intoxicated teenage sons and daughters from house parties this weekend. And if their children got drunk because they did not know how to mix their own drinks then many may be able to thank the Rudd government’s RTD tax for the increase in that situation.

The government has totally mishandled the process of this legislative change, which was announced proudly on budget night. It required ratification by both houses by 19
March this year. With just three sitting days to go to validate the decision, the government still has not secured passage of its bill. It leaves the Senate with a short period of time to evaluate the merits of this policy. The government of course has warned that if this bill does not pass the Senate millions of dollars in taxation revenue will have to be handed back to the alcohol industry. They mention this because they are attempting to use this as a threat to bully the Senate into supporting their bill.

Senator Cormann—That is another thing that is untrue, of course.

Senator Fifield—Indeed, it is untrue. But this need not be a problem; it is easily fixed. If the government had sought to consult with this chamber—which they seldom do—before introducing the legislation, perhaps even the potential of that situation could have been avoided. The opposition has recommended that the revenue collected so far from the tax should be focused on the problem the policy was actually designed to address: binge drinking. There is the capacity for the parliament to validate the revenue already collected and there is also the capacity for the parliament to ensure that the money collected—the money which could be validated—is not returned to the industry in the event that this bill is defeated. That is easily done by legislation and most in the industry do not want the money returned. That money can be quarantined and it can be put to the purpose that this legislation was intended to fix—that is, we could put the money towards advertising campaigns and other worthwhile purposes.

The government must take responsibility for this situation. The policy was not a measure designed to address public health concerns. It was simply a tax grab. It risks making binge drinking amongst teenagers more dangerous than before. The legislation is a con and a sham—it always was—and this legislation should be defeated.

Senator Birmingham (South Australia) (8.56 pm)—In speaking on the Customs Tariff Amendment (2009 Measures No. 1) Bill 2009 and the Excise Tariff Amendment (2009 Measures No. 1) Bill 2009, it is a pleasure to follow on from Senators Fifield and Humphries, who have made very strong contributions and presented very clear, relevant and practical information as to why this government measure is a flawed one. That is not to say that the issues that some believe are at the heart of this are not serious, because they are. The impacts of problem drinking are quite serious in our community. They may not necessarily be as widespread as is suggested by some who speak with great rhetorical flourish about the extent of those impacts but there are very real impacts and there are some very real chronic and acute harms that accumulate from the abuse of alcohol.

I acknowledge this as I have seen it first-hand across a range of communities, in my personal circumstances and in my past employment. I heard my friend and South Australian colleague Senator Bernardi put on the record his family background working in the hotel industry and owning and running hotels. I place on the record my professional background, having worked for the Australian Hotels Association and the Winemakers Federation of Australia. In those roles I personally have seen some of the impacts of alcohol abuse. I have been there in pubs and venues to see the types of acute harms that can accumulate when people choose to drink too much. I have travelled to Alice Springs and visited the liquor licensing officials there in a number of the hotels throughout that community. I have seen the perpetual cycle of abuse and it is indeed not only an acute level of abuse—that is, abuse that occurs on
the day and the harms that flow from that—but it is also a chronic level of abuse.

But I come back to the word I used before: ‘choice’, meaning that people choose to drink. That does not mean that we should not try to educate them—try to ensure that they understand the harms that can flow from abuse of these products—but we need to understand that there is no simple government measure that will fix it or change it. It is a complex problem. When people do things that in many instances they know have the potential to lead to harm, they are doing so for a whole range of very complex factors that stretch way beyond their hip pockets. Unfortunately, the government’s approach seems to go nowhere beyond their hip pockets. That is the great failing in the approach that is being put forward here by the government.

There is a real issue to try to minimise the harms that flow from alcohol abuse, as from the abuse of all other licit and illicit substances. And those harms require clear, coordinated strategies and sound policies, not simply a one-issue press release taken off the shelf and sent out for want of a good Sunday news story—which, frankly, is where this came from. They actually require government to think a little harder about how it can shift a cultural issue, because that is what this is. It is a cultural issue that runs to personal choice and personal responsibility, and it requires greater policy insight than this government has shown in dealing with this issue to date. In looking at a simple measure like a tax measure, government needs to ask itself a number of questions. What cost is there to the introduction of this tax measure? At whose inconvenience? Who does it harm? In what manner will it be applied? Based on what evidence is it to be applied to ensure that whatever its aims are they will be achieved?

Quite often, for governments, imposing a new tax measure or a tax hike is simply all about raising new revenue. In fact, that is usually—almost 100 per cent of the time—the reason governments adjust taxation upwards. But, even then, they need to question themselves as to the evidence on which they are basing that, because sometimes when you raise taxes you actually end up collecting less revenue. It has been known to occur that you can cripple an economy by raising taxes too far and therefore see less revenue raised. Or, as in this instance, you can predict a certain level of government revenue that might stem from your tax rise and discover some nine months down the track that it is only going to be about half that, at least for the category in question. Those are all questions that this government appears to have failed to ask itself before deciding to drop that great story to the Sunday papers—quietly, on a Saturday, under an embargo—to ensure that it got fabulous headlines about the ‘war on binge drinking’ across the national media one Sunday morning back in April last year.

In considering the alcohol debate we need to consider that there are different types of drinkers. There are those who are responsible drinkers and there are those who suffer from drinking at levels that put themselves at risk of chronic or acute harm. The overwhelming majority of people, though, are responsible drinkers. We see all sorts of statistics presented from time to time to support arguments about what proportion of people are or are not drinking at levels of risk. And we have seen just recently the National Health and Medical Research Council reduce the level for so-called safe consumption to just two standard drinks a day. When it is reduced to that level, a large proportion of Australians—unsurprisingly, I would contest—fall into the at-risk category, because if that is your definition then you will see lots of people pushing that two-drink limit. I sus-
pect that most people in this chamber and most people in any other workplace, if they are being honest, would acknowledge that that is a frequent occurrence, if not in their life then in the lives of those around them. But it is a frequent occurrence that does not lead to any immediate acute harms in 99.9 per cent of instances and, indeed, does not lead to any necessarily long-term chronic harms in the vast majority of instances either. So they are not the ones that you should be targeting.

The ones that quite clearly need to be targeted are a much smaller proportion of the population who drink to great excess. What is that great excess? It seems a little hard to get to the bottom of that when it comes to government policy making. If I refer to the government’s work and the work of the Senate Standing Committee on Community Affairs in its majority report, I see references to binge drinking, to risky drinking and to high-risk drinking. But can I find a definition at all as to who we are trying to target and what volume of consumption enters that risky zone, that binge zone, so that it is worthy of and warrants this punitive type of tax based clampdown? I cannot find it anywhere. The government has launched a war on binge drinking through the Sunday papers, yet it does not seem to know exactly what its target is. I contend that, if a government wants to launch a war, it should know what its target is and it should know what it is aiming to seriously and genuinely achieve.

Today, as Senator Fifield mentioned, is the fourth to last day the government have on which they can deal with this issue. I referred before to this being a Sunday paper announcement back in April last year. This matter was gazetted on 27 April 2008. Here we are with just three more sitting days to go and the government finally bring it to this place for debate. What have they been hiding from? What have they been avoiding? Why haven’t they had the courage to come in here and debate this before? Is it that they were hoping to acquire the evidence? As Senator Cormann and many others have so clearly detailed, they have failed miserably if that was their objective. Indeed, Senator Fifield highlighted that the concluding remarks in the majority report of the community affairs committee inquiry into this bill demonstrated—and this is according to government senators—that the evidence was ‘partial and inconclusive’ and said:

… it was not possible to definitively conclude that this reduction in consumption had resulted in a reduction in levels of risky and high-risk consumption of RTDs …

Well, what have they been waiting for then? Surely, if they have waited since April last year to bring this on, one would have expected the government to have generated some evidence to back up their claims that this measure is one worth pursuing. Instead, we have government senators acknowledging that, basically, there is no evidence; there is no relevant data.

It is backed up, of course, by many of the witnesses who appeared before the Senate inquiry into this matter. I give particular credit to Senator Cormann for his work in the minority report of Liberal senators tabled with the overall report into these bills. Senator Cormann and Senator Colbeck have worked hard to prosecute the argument that this is a flawed tax measure introduced by a government desperate for cash, not the health measure they present it as. Senator Cormann presents in this report, along with Senator Humphries and me, some 10 witnesses—not one, two or three but 10 witnesses—all of whom highlight the paucity of evidence when it comes to the impact of this tax measure.

We have Professor Ian Webster, probably a lifetime worker in the alcohol sector and
Chairman of the Alcohol Education and Rehabilitation Foundation—indeed, a foundation that was established from another failed attempt by a government to increase excise. Professor Webster says:

I haven’t seen any evidence which has found a decline in alcohol problems in the community since it was introduced.

He has not seen any evidence, as of course the government senators have not. We have the AMA advocating that ‘data collection to obtain that evidence is required’. They are not the only ones advocating that because, as Senator Fifield again highlighted, it was the first recommendation of the government’s majority report. They have had since April last year to collect the data, but it ends up as the first recommendation of their report. You do have to wonder what they have been doing and, if they cannot present a compelling case today for the passage of this legislation, then the Senate should have serious misgivings about allowing its passage at all.

By focusing on just one alcohol product there is a balloon effect. It is one of those instances where you squeeze at one end and it pops up at the other end. That has been quite evident here. The opposition and others have been saying that this would be the case from day one, from 27 April last year. We have been very consistent on the point that there would be substitution—in some instances potentially from licit substances to illicit substances, but certainly substitution amongst the alcohol categories. Whilst the government was very reluctant, it seemed, to reveal terribly much data at all in response to Senator Cormann’s probing questions, we do have the Australian Taxation Office clearance data which shows a 17 per cent increase in the sale of full-strength spirits. Senator McLucas, if you wish to take that on, I can line up hotelier after hotelier who will tell you what the consumption trend is and what the purchasing trend is. It is one bottle of spirits in one hand and one bottle of soft drink in the other, and that is what they walk away with. There is a serious risk if that is their drinking pattern.

I do not disagree that there are some who abuse every category of alcohol including RTDs, and I said at the beginning that we need to work out serious ways to tackle those issues. But, if you really want to focus on tackling that issue, be careful not to squeeze the balloon and create an even bigger problem elsewhere. That is a serious risk that exists there.

In the short time that is left I wish to touch on one specific issue. The government introduced the RTD alcopops tax and then discovered over the following nine months or so that a whole lot of ‘malternatives’, as they have come to be known, have sprung up. We saw beer based and wine based alcopops hold RTD sales, but it has popped out elsewhere. Senator Fifield and Senator Humphries and others made very good contributions outlining the impact of that especially when it comes to full-strength spirits. If you drive up the sales of full-strength spirits, you drive up the risk that goes with that. And that risk is very real. It is the risk that comes with taking home or taking to a party a bottle of spirits containing 20 or 30 standard drinks and usually taking it along with one mixer bottle containing 1.25 or two litres of soft drink to go with it. You know that if the whole lot gets consumed in one hit—

Senator McLucas—Where is your evidence for that?

Senator BIRMINGHAM—My evidence, Senator McLucas, is the ATO clearance data that I just cited, showing a 17 per cent increase in the sale of full-strength spirits. Senator McLucas, if you wish to take that on, I can line up hotelier after hotelier who will tell you what the consumption trend is and what the purchasing trend is. It is one bottle of spirits in one hand and one bottle of soft drink in the other, and that is what they walk away with. There is a serious risk if that is their drinking pattern.

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appear in the marketplace, so a couple of weeks ago Minister Roxon rushed some changes into the House of Representatives to try to cover off those loopholes. It makes some level of sense to try to cover off those loopholes; it highlights the flaw in the government’s approach. It is a bit like trying to plug holes in a dyke: once you get one, another leak springs up and you are continually trying to catch up with yourself.

But there have been some unintended consequences as a result of the government’s moves to broaden the definition. One of those relates particularly to constituents of mine in South Australia—the Angove Family Winemakers. Angove’s have the licensing rights to produce Stones Ginger Beer in Australia. Ginger beer is not exactly a huge-volume product. It is not a product that I sample on a terribly regular basis, I have to say, but nonetheless it is a very traditional product that has been made since the 1700s. Angove Family Winemakers, a wine business in the Riverland in South Australia that has been producing beverages for seven generations now, decided that it would take on as a family business the Australian licence for Stones Ginger Beer. They had a history of making other Stones products as well in this country.

Unfortunately, they discovered, after no consultation with them or broader consultation around the place, that the government’s changes to the definition of beer shifts Stones Ginger Beer from being taxed as a beer to now being taxed as an RTD. That is very disappointing for them. In making their beer they strove to make sure that it would fit the definition of beer. They wanted to be able to call it a beer, they wanted to be able to market it as a beer and they wanted to make sure that it fitted the right definition. They could have made it from wine based spirit and it would have been taxed less, but they chose not to because they wanted to make the real deal and be authentic about it. Now they are an unfortunate victim of these changes by the government.

I note in the majority report—and I give full credit to Senator Claire Moore, the chair of the committee, for her approach to this issue—that the government has suggested that Treasury will look at this issue. Looking at it will not be good enough. My concluding questions to the government in this speech on the second reading, which I will pursue in the committee stage, are these. Will you move amendments to fix the definition of beer to protect this traditional beer product as the definition of traditional wine products has been fixed? Will you look after this small business, this small niche beer product, just as other niche products in the wine area have been looked after? Will you ensure that your unfair measures that have now been whacked on a small South Australian family business are lifted—at least from them—should you manage to convince the Senate to pass this bill? Though I hope you do not pass this bill, I do urge you as the government to consider this issue. (Time expired)

Senator COLBECK (Tasmania) (9.16 pm)—I rise to make a contribution to the debate on Customs Tariff Amendment (2009 Measures No. 1) Bill 2009 and the Excise Tariff Amendment (2009 Measures No. 1) Bill 2009, which, I must say, has been a long time coming. I recall asking Senator Conroy in this place in question time—I think it was last June—where the legislation was and whether drafting instructions had been made for this piece of legislation. Unfortunately, Senator Conroy did not know. It was quite embarrassing for him that he could not answer the question. It was a topical issue. The government had been telling us ‘to get out of the way and pass the legislation’ and had been goading us in public by saying that we were ruining this massive surplus that they generated, which has now disappeared into a
significant deficit I might note. But they were telling us ‘to get out of the way and pass the legislation’. So we thought: ‘Let’s ask where the legislation is.’ Unfortunately, when we asked Senator Conroy, he did not know where it was. We happened to ask him the same question the next day. You would have thought that a minister who was prepared for this debate, having been asked a question and deciding to take it on notice, might have done some preparation and found out where the legislation was and what the drafting instructions were. But, unfortunately for Senator Conroy, he still did not know, which gives a demonstration of the complete disarray that the government has been in with respect to this measure.

It has been poorly conceived, poorly designed and poorly handled all the way through. There has been a continuation of selective quoting of statistics to try to put the government’s perspective. It has been quite dishonest the way that the government has managed this, even from the perspective of the figures that it wanted to quote as to the revenue that would be raised from this measure when it first started. I might note that I do not think the Department of Health and Ageing was even consulted on the calculations of this; it was done between Treasury and Customs. The first figure that came out was about $2 billion. That was the first figure that we were told. Before long, that number had been raised to $3.1 billion that was going to be raised by the measure. At that stage, the industry told us that that was above their projections for the growth in RTDs without the new tax. So, clearly, the government had no idea what it was doing. It had made no consultations as to the effects of the measure that it was proposing and it was just hoping that it got it right.

Close to 12 months on, here we have the legislation. We had asked about it, we had been told the drafting instructions had been issued as far back as June last year, and here we have the process just starting. One thing I can say has been a feature of this whole process over the last 12 months is that I do not think that anyone genuinely believes the government in any of the arguments that it has put up. I know that there are some people who are desperate to believe what the government is saying and there are people out there who have genuine concerns about the impacts of alcohol in our society. I know that that is shared on both sides of the chamber, having been through several Senate inquiries myself and having watched the work of the Senate committee in its most recent inquiry. There are people who are desperate to have this issue dealt with in a genuine way by the government, and they were over the moon that their issue had been recognised. That was their perspective.

I went to the drug and alcohol awards in Melbourne one Friday night last year because, as the then shadow parliamentary secretary for health, I considered that it was one of my responsibilities to attend a function of that nature but also, with children in the demographic that this measure was supposedly targeted at, I was interested in talking to the representatives who were there. I might note that this was one of Kevin Rudd’s beachhead issues and this was one of the big deals that he was running with through the election campaign. It obviously showed through in their polling and the focus group work. It was one of those beachhead issues, and he was going to declare war on binge drinking. Despite all that, nobody from the health portfolio of the government was in attendance. They sent a separate parliamentary secretary. I think Mr Shorten was the parliamentary secretary who attended and who took great delight in getting up on the stage to make presentations at one stage in the evening and telling the opposition ‘to get out of the government’s way and pass the
legislation’. Poor old Mr Shorten did not know that the legislation had not been prepared yet. He was concerned that we were standing in the way of a tax measure. There is no doubt that this was dreamt up in Kevin Rudd’s office as a tax measure. They needed money, they knew they needed money, they were saying that they were going to cut spending but in effect what they did was put in a huge tax slug at the last election and this was part of it.

They tried to dress it up as a health measure. But, as I said, nobody believes them. My local paper said at the time, ‘Mr Rudd, this policy is plain wrong.’ They put that on the front page of their newspaper. What did they say back in May last year? ‘Our kids turned to the hard stuff.’ We have heard previous speakers tell us that that is what is happening—there is a significant increase in the sales of full-strength spirits. The government tried to play that down. They tried to, again, selectively quote figures to say that the combined sale of RTDs and spirits is down—and it probably is. But they took no account of substitution when they put their figures together. They did not even look at that. That was not part of the process that they considered. Again, it demonstrates how poorly this whole issue has been handled right from day one. As I said, it has been poorly conceived, poorly designed and most certainly poorly handled.

The government, at the time of announcing this measure, promised to spend a large slice of the revenue on a new national health preventative program. The revenue was then estimated to be $2 billion over three or four years. As we have already discussed, the figure has gone up as far as $3.1 billion and now is down to $1.6 billion after a year of getting some real data and doing some real work on how this process might work. A large slice of the extra revenue raised by the higher excise was to be poured into a new national health preventative program. We are yet to see the results of that. I would be interested to see what the crossbenches do with respect to this. I know that during our initial Senate inquiries one of their real concerns was to see what the investment by the government into these programs was. Those in that social sector who are concerned about the effect of alcohol want to see what large slice of this excise increase is going to be spent. We have heard nothing of that. That has completely disappeared from the government rhetoric—again, a promise was made as part of the process, but where is it?

They are busily trying to palm off other measures and other spending as being part of this process. They cancelled a program the previous government had in place and rebadged it. It took them until late last year to get their advertising program underway—rebadging about $57 million that came out of the previous government’s advertising budget, which they criticised when they were in opposition. They criticised those advertising programs, but they rebadged them. Then when they brought their advertising out it was not the most effective. It was another group who came out with an advertising program that actually followed the research about the most positive influence on kids who were consuming alcohol—family. Again, the government have put absolutely no resource towards programs that will assist families deal with their drug and alcohol issues. There has been no resource allocated out of this large slice that they promised of the $2 billion or $3.1 billion or $1.6 billion. There has been no contribution.

It was the ‘Children See Children Do’ alcohol advertisements on television that were the most effective. They are great ads. The father at the barbecue asks the young son to go and get him a beer from the fridge. As the son comes back from the fridge to the barbecue he morphs into a father who asks his
young son. It is a very powerful message. Yes, we have a significant cultural issue with alcohol in this country. I do not think there is anyone on any side of the debate who would disagree with that.

During my time on the Senate inquiry it was a pleasure to work with members across all parties. This issue has been dealt with very seriously and very genuinely. There were doubts expressed all the way through about this measure. It is quite interesting to note that there is no definitive evidence presented in the government report to say that this measure has been effective. Yet the dissenting report demonstrates that witness after witness stated that there is absolutely no evidence that this measure has had an impact on harmful drinking—something that the government members would not, or perhaps could not, put into their report.

It is really a pity that the government have taken the approach that they have on this. I said before that there has been a process of selectively quoting statistics. We saw that with the figures on young girls who had a preference for use of RTDs. The government quoted figures—I think it was from 14 per cent up to 67 per cent—for the growth. They did not mention that it had gone past that and come back. They just quoted the gross numbers. They did not say that the number of young girls in the age group they were talking about who were drinking had reduced. Even though it was slight, there had been a reduction. They picked the most emotive, the most selective, statistics and gave them to their backbenchers to come in here and parrot out in their presentations, to dutifully speak off their speaking notes and selectively quote statistics provided by the minister’s office. And yet those who have been to the committee hearings, listened to the evidence and been bombarded with the statistics from all sides—those who have been through that process—know that what the government have been trying to tell us through this debate and the selective quoting of statistics is not right. That is why nobody believes them.

As I have said, there are people who desperately want to believe them, because there are people who are desperately passionate about this issue. Anyone who has seen their kids or other kids in a really sick state through the consumption of alcohol would be passionate about this. But the government has not made a case for the parliament to pass this legislation. If you look at the other minority reports, they continue to have doubts about the veracity of this measure.

In fact, in my local paper there was even a report about the government’s youth delegates to the United Nations. These two young people had travelled all over Australia. They had been all over the country. And one of the issues that they were taking to the UN, to represent this country, was how ridiculous this measure was and how it would not be effective. The kids know. They know how to effectively get around this measure. And I am sure that in time, when the government actually decide to release the figures properly, we will see that. I recall seeing an answer to a question on notice given to Senator Cormann that this information is not in the public domain. The government actually tried to suppress the real data as a part of this process so that they could continue to run their selective arguments in the media and pretend that this was a measure that was going to work.

As we have seen through the committee reports—three inquiries now—there is no evidence that this will work. The government did not take into account issues such as the transfer effect. I think Senator Birmingham’s balloon analogy puts it perfectly: if you squeeze a balloon in one area, it is going to pop out in another area. It is quite clear that there is a redistribution in the consumption
of alcohol. I can tell you, I have seen it among the young people that I know. They have moved from RTDs to wine and back to beer. They will find a way. They know what their budgets are and they will find a way to get around it. Most disturbingly was the suggestion by one young person I know that, if the government keep this up, there is an easy way out: ‘For 30 bucks I can get a pill’—probably less, for all I know, but that was the comment that was made to me—‘It’s cheaper, it’ll last longer and I don’t have to worry about all the hangover in the morning.’ That was the most frightening—

Senator McLucas—You be very careful there.

Senator COLBECK—I am being very careful, Senator. But that was a comment that was made to me by a young person in respect of your measure.

Senator McLucas—Well, don’t prosecute it in here.

Senator COLBECK—They said to me, ‘We’re not stupid; we know how to deal with this.’ And it worried the hell out of me, I can promise you, because that is the last thing I would want to see. That is why I want to see this measure dealt with properly by the government—not with dishonest numbers, not with selective quoting of figures like you have done over the last 12 months, not with a completely dishonest approach to this legislation. Don’t come in here telling me you have been genuine about this—it was a tax measure dressed up as a health measure!

Senator Cormann—They didn’t even talk to the health department.

Senator COLBECK—They didn’t even talk to the health department when it was being designed. You cannot come in here and tell me that this was a genuine process. As I said at the outset, this was poorly conceived, it was poorly designed and it is most assur-
higher than normal risks because they are more likely to make false judgments about the product they are consuming. As Professor Tanya Chikritzhs said to the Senate inquiry last week:

... not all beverages are equal in the amount of harm they are likely to be associated with.

That is why the government is concerned about alcopops over other forms of alcohol and with fixing the loophole that was created by the Liberals back in 2000. The very nature of alcopops makes them more harmful to vulnerable young and underage drinkers, the very people who are targeted through the advertising on Facebook and magazines directed at young people and children. No-one who reads the newspaper or watches television can be unaware of the problems caused by binge drinking. Community leaders, police and health experts alike agree that action needs to be taken. In any given week approximately one in 10 12- to 17-year-olds are binge drinking or drinking at risky levels. Almost 20,000 girls aged 12 to 15 drink daily or weekly. The number of women aged 18 to 24 being admitted to hospitals because of alcohol has doubled in eight years.

Risky drinking is a common cause of violence. Almost 500,000 young people aged 14 to 19 years were physically abused in alcohol related incidents in 2007. In 2004-05, the social cost of alcohol misuse in Australia was estimated to be approximately $15.3 billion. For young people, RTDs are a big part of the binge drinking problem. Between 2000 and 2004, the percentage of female drinkers aged 15 to 17 who consumed alcopops at their last drinking occasion increased from 14 per cent to 62 per cent. For females drinking at high-risk levels in 2004, 78 per cent drank alcopops at their last drinking occasion. That figure had increased from 21 per cent in 2000.

Senator McGauran—What is this? The temperance movement!

Senator McLUCAS—you might think it is funny, Senator. This is the data which your side say does not exist. The industry itself admits its sales have grown by 250 per cent since 2000. So the Rudd government has made the entirely sensible decision to reverse the Liberal Party’s mistake. The government’s decision leads to the logical situation that all spirits, whether bottled or premixed, are taxed at the same rate. As a result, the price of most alcopops has increased. Research shows that price increases can and will play an important role in tackling binge drinking and that higher prices lead to a reduction in consumption, particularly by young people and underage children.

This bill changes the definition of beer to set a combination of minimum limits on bitterness and maximum limits on sugar content that must be present in the final beverage. As part of the sugar requirements, artificial sweeteners will not be permitted to be added to beer. Apart from establishing new restrictions on the definition of beer, the government has also taken the opportunity to make changes that encourage innovation in the beer-making process. The changes will allow additional ingredients to be added during the brewing process, including small amounts of alcohol from a non-beer source. These changes are expected to allow domestic brewers to better compete with international brewers by providing opportunities to produce new beer flavours within the overall new limits concerning bitterness and sugar content.

The changes will only affect grape wine products and not other forms of wine. The category known as ‘grape wine products’ currently includes wine cocktails, flavoured wines and Irish style cream drinks, including wine creams. With a combination of flavour-
ings or ingredients, a grape wine product could be produced to resemble a spirit based RTD product. The new definition will preclude the addition at any time of the flavour of an alcoholic beverage other than wine whether the flavour is natural or artificial and whether or not the flavour contains alcohol. For example, the addition of a rum flavour or a number of flavours that combine to produce a rum flavour would lead to the beverage no longer being classified as wine. Supporting this change, other changes to the definition will act to provide certainty as to the circumstances where alcohol can be added to a grape wine product—that is, alcohol other than grape spirit used in the preparation of the vegetable extract must not add more than one percentage point to the final alcohol strength by volume of the beverage. Without such a limit, additional amounts of alcohol could be added to a grape wine product potentially to provide a spirit flavour. These changes are not designed to have any significant impact on conventional beer and wine products. The government understands from consultations that both the beer and wine industries are supportive of the changes.

Subject to the support of the parliament, the new definitions of beer and wine will apply from 1 July. The 1 July 2009 start date has been chosen to provide sufficient time for industry to be informed of the changes and to make any adjustments. I acknowledge your question, Senator Birmingham. We will deal with that in the committee stage.

The Australian Taxation Office and Customs figures drawn from the first 10 months of this measure show that alcopops sales have dropped by 35 per cent compared to the previous year. This is significant. What is more, it is far beyond our modest predictions. When the measure was first introduced, modelling predicted that—

**Senator Cormann**—You were predicting it would go up. You are misleading the Senate.

**Senator McLUCAS**—Do you want to listen or not? When this measure was first introduced, modelling predicted that it would only slow the astronomical growth of alcopops sales, which would have been an achievement in itself. However, as we have heard, the ACNielsen figures—the figures accepted by all parts of the industry—demonstrate a reduction in the overall consumption of alcohol of 124 million standard drinks. That takes into account alcopops, straight spirits, beer and wine. And no-one on the other side is listening because that is the statistic they do not want to hear. They do not want to know that the overall reduction in consumption of alcohol has been by 124 million standard drinks. That is not a bad start. Let me expand on the ATO data. To quote from the Department of the Treasury’s submission to last week’s Senate inquiry:

The clearance data reveals a 34.6 per cent decrease in RTD consumption over the period May 2008 to January 2009, compared with the same period in the previous year. In contrast, solid growth was recorded for this period in each of the previous three years: 12.3 per cent in 2005-06, 8.2 per cent in 2006-07, 10.1 per cent in 2007-08. So we had year of growth after year of growth for the preceding three years and then we have subsequently seen a reduction by 34.6 per cent.

**Senator Cormann**—What about next year?

**Senator McLUCAS**—It depends on what you do in this place.

**Senator Cormann interjecting**—

The **ACTING DEPUTY PRESIDENT** (Senator Hutchins)—Minister, please continue.

**Senator McLUCAS**—While the clearance data does show an increase in full-
strength spirits consumption of 17 per cent—a figure that was quoted by Senator Fifield and Senator Colbeck—they omitted to quote the most important figure. Overall spirit consumption in RTDs combined with full-strength spirits has fallen around 7.9 per cent when compared to the same period in 2007-08. There has been a huge reduction in RTDs; there has been a small increase in straight spirits; but the most important figure is that overall consumption of spirits has reduced by 7.9 per cent—and you are saying the data does not exist.

An opposition senator—A 17 per cent increase?

Senator McLUCAS—I will say it again.

Senator Fifield—Yes, say it again—

The ACTING DEPUTY PRESIDENT—Through the chair, Minister.

Senator McLUCAS—There was a 34.6 per cent decrease in RTDs, a 17 per cent growth in full-strength spirits but—

An opposition senator—That is what I said—17 per cent.

Senator McLUCAS—But the most important figure that you will just refuse to hear is that the total consumption of spirits has fallen by 7.9 per cent. Surely that is success.

Senator Birmingham—While beer has gone up by six per cent.

Senator McLUCAS—It hasn’t. Over the same period there was an increase—sorry—in beer consumption by 6.1 per cent. However, since the increase in the rate of excise of RTDs, the growth in excisable alcohol consumption of beer, spirits and RTDs has slowed. The ATO clearance figures show that the growth in excisable alcohol weakened by 0.1 per cent—

Senator Fifield—The growth is slowing.

Senator McLUCAS—in the period May 2008—keep listening—to January 2009 compared with the same period the year before. In contrast, solid growth was recorded for this period in each of the previous three years—very important figures coming up, Senator Fifield—6.6 per cent in 2005-06; two per cent in 2006-07; and 2.7 per cent in 2007-08. Once again, the figures support the position that the government is taking—this tax is working. The ATO said:

Excise clearance data does not include wine. Wine is not subject to excise duty, and similar volume data therefore is not available from the WET tax regime. However, it is noted that a recent article in the Medical Journal of Australia reported that the consumption of standard drinks in the form of wine in the period May to July 2008 fell by 2.6 per cent compared to the same period in 2007. This contributed to a fall in total standard drinks consumed in this period compared to the same period in 2007.

The Senate needs to remember that this is not the only thing that our government is doing to reduce binge drinking. Back in March last year we announced the National Binge Drinking Strategy, a strategy that has several parts. We are working with individuals through an early intervention program; we are working with local communities through the Good Sports program and through the community level initiatives; and we are talking to the whole community through the ‘Don’t turn a night out into a nightmare’ advertising campaign. But that is not all.

Senator Fifield—But wait.

Senator McLUCAS—that’s right—but wait: this is a comprehensive plan. We are also working with state and territory governments through the Ministerial Council on Drug Strategy on a range of measures that look more broadly at binge drinking: advertising, liquor licensing and secondary supply amongst them. Last week Minister Roxon announced $872 million of preventative health strategies—Senator Colbeck seems to
have missed that happening. That is all aside from the work of the Preventative Health Taskforce, the task force that will be making its report and recommendations to the government in June this year.

The health sector is very pleased with the refocus of the government on that part of the alcohol and other drugs sector that causes the most harm to our community. We do have a comprehensive plan in order to change the culture, as Senator Fielding said and I think Senator Birmingham said. We do need to change the culture around inappropriate use of alcohol in this country, and our government is trying to do something about it. By contrast, the previous government did not engage at all in trying to deal with inappropriate use of alcohol. We are now dealing with the results of that inaction.

The alcopops measure will raise $1.6 billion from 27 April 2008 over the forward estimates—somewhat less than the original estimate at the time of the last budget but a clear indication that the measure is working. There is a lot of debate about which figures mean the most and whether there is a clear indication that the measure is working, but can I say that public health measures do take some time to demonstrate effect. We did not put up the tax on cigarettes and have a 10 per cent decrease in smoking overnight. The health experts have all recognised this fact, a fact somewhat missed by those people during the Senate inquiry. Professor Chikritzhs of the National Drug Research Institute recognised that there was no quantifiable evidence at this stage but said—and this is very important:

... various surveys, such as the secondary schools survey and the National Drugs Strategy health survey, [identify] which part of the population prefers to drink RTDs, or alcopops. We know that in the 14- to 17-year-old age group who drinks at risky, high-risk levels for short-term harm, 70 to 80 per cent of that consumption is done via RTDs, or alcopops ... We could make an educated guess—

and can I say this is a very educated woman, saying that young people drinking at risky levels—

would be the most likely to be affected by this RTD tax.

We know that it is young people who are drinking large amounts of them. We also know that young people, but particularly underage drinkers, are extremely price sensitive. Professor Chikritzhs gets it. It is astonishing that those on the other side do not.

The coalition senators are therefore saying that the do-nothing approach is the way to go. For the 15- to 17-year-old girls, of which 62 per cent are now drinking alcopops compared to 14 per cent in 2000, that is not good enough for me. For having twice as many young women presenting at hospitals than eight years ago, doing nothing is not good enough for me. And for Senator Birmingham to say that this is a question of choice is not good enough for me because I do not have a choice as a taxpayer to pick up the bill for the health costs for inappropriate use of alcohol, and neither do I have a choice to pick up the bill for the harm and the effects on policing that all our states and territories are now dealing with.

I am amazed that any senator could not vote for this bill. The government’s action on alcopops is working. It may not be working for the distillers or their representatives in this place, the Liberal and National parties, but it is working. The AMA, the Public Health Association of Australia, the Alcohol and Other Drugs Council of Australia, the Royal Australasian College of Physicians, the Australian National Council on Drugs, as well as the experts commissioned by the Howard government, all backed this measure. And so do the Australian public. The Australian Cancer Council surveyed Austra-
lians earlier this year, finding 57 per cent support the tax irrespective of where the money goes, but that moves to 84 per cent if the money is being used on public health measures.

This is a strong piece of legislation, it is backed by research, it is backed by the health experts, it is backed by the evidence and, most importantly, it is backed by the community. It will enable us to make significant investments in prevention and in tackling alcohol abuse and, therefore, should be supported.

Question put:
That the amendment (Senator Cormann’s) be agreed to.

The Senate divided. [9.58 pm]
(The President—Senator the Hon. JJ Hogg)

Ayes…………… 41
Noes…………… 28
Majority……… 13

AYES
Abetz, E.  Back, C.J.
Barnett, G.  Bernardi, C.
Birmingham, S.  Boswell, R.L.D.
Boyce, S.  Brandis, G.H.
Brown, B.J.  Bushby, D.C.
Cash, M.C.  Colbeck, R.
Coonan, H.L.  Cormann, M.H.P.
Eggleston, A.  Fielding, S.
Fierravanti-Wells, C.  Fifiield, M.P.
Fisher, M.J.  Hanson-Young, S.C.
Heffernan, W.  Humphries, G.
Johnston, D.  Kroger, H.
Ludlam, S.  Macdonald, I.
Mason, B.J.  McGauran, J.J.J.
Milne, C.  Minchin, N.H.
Nash, F.  Parry, S. *
Payne, M.A.  Ronaldson, M.
Ryan, S.M.  Scullion, N.G.
Siewert, R.  Troeth, J.M.
Trood, R.B.  Williams, J.R.
Xenophon, N.

NOES
Arbib, M.V.  Bilyk, C.L.
Bishop, T.M.  Brown, C.L.
Cameron, D.N.  Collins, J.
Conroy, S.M.  Crossin, P.M.
Evans, C.V.  Farrell, D.E.
Faulkner, J.P.  Feeney, D.
Forshaw, M.G.  Furner, M.L.
Hogg, J.J.  Hurley, A.
Hutchins, S.P.  Lundy, K.A.
Marshall, G.  McEwen, A.
McLucas, J.E.  Moore, C.
O’Brien, K.W.K. *  Polley, H.
Pratt, L.C.  Sherry, N.J.
Stephens, U.  Wortley, D.

PAIRS
Joyce, B.  Sterle, G.
Adams, J.  Carr, K.J.
Ferguson, A.B.  Ludwig, J.W.

* denotes teller

Question agreed to.

Original question, as amended, agreed to.

Bills read a second time.

In Committee

Bills—by leave—taken together and as a whole.

Senator CORMANN (Western Australia) (10.01 pm)—by leave—I move opposition requests for amendments (1) to (18) on sheet 5741 in respect of the Customs Tariff Amendment (2009 Measures No. 1) Bill 2009 and opposition requests for amendments (1) and (2) on sheet 5742 in respect of the Excise Tariff Amendment (2009 Measure No. 1) Bill 2009 together:

That the House of Representatives be requested to make the following amendments:

(1) Clause 2, page 2 (after table item 2), insert:
The latest of:
(a) the day after this Act receives the Royal Assent; and
(b) the day after the *Excise Tariff Amendment (2009 Measures No. 1) Act 2009* receives the Royal Assent. However, the provision(s) do not commence at all if the event mentioned in paragraph (b) does not occur.

(2) Page 8 (after line 20), after Schedule 1, insert:

Schedule 1A—Ready-to-drink beverages

Customs Tariff Act 1995

1 Schedule 3 (subheading 2203.00.31, the rates of duty in column 3)
Repeal the rates of duty, substitute:
$40.82/L of alcohol
NZ/PG/L/C/LDC/SG: $40.82/L of alcohol

2 Schedule 3 (subheading 2204.10.23, the rates of duty in column 3)
Repeal the rates of duty, substitute:
5%, and $40.82/L of alcohol
NZ/PG/L/C/LDC/SG: $40.82/L of alcohol

3 Schedule 3 (subheading 2204.10.83, the rates of duty in column 3)
Repeal the rates of duty, substitute:
5%, and $40.82/L of alcohol
NZ/PG/L/C/LDC/SG: $40.82/L of alcohol

4 Schedule 3 (subheading 2204.21.30, the rates of duty in column 3)
Repeal the rates of duty, substitute:
5%, and $40.82/L of alcohol
NZ/PG/L/C/LDC/SG: $40.82/L of alcohol

5 Schedule 3 (subheading 2204.29.30, the rates of duty in column 3)
Repeal the rates of duty, substitute:
5%, and $40.82/L of alcohol
NZ/PG/L/C/LDC/SG: $40.82/L of alcohol

6 Schedule 3 (subheading 2205.10.30, the rates of duty in column 3)
Repeal the rates of duty, substitute:
5%, and $40.82/L of alcohol
NZ/PG/L/C/LDC/SG: $40.82/L of alcohol

7 Schedule 3 (subheading 2205.90.30, the rates of duty in column 3)
Repeal the rates of duty, substitute:
5%, and $40.82/L of alcohol
NZ/PG/L/C/LDC/SG: $40.82/L of alcohol

8 Schedule 3 (subheading 2206.00.52, the rates of duty in column 3)
Repeal the rates of duty, substitute:
5%, and $40.82/L of alcohol
NZ/PG/L/C/LDC/SG: $40.82/L of alcohol

DCS:4%, and $40.82/L of alcohol
DCT:5%, and $40.82/L of alcohol

9 Schedule 3 (subheading 2206.00.62, the rates of duty in column 3)
Repeal the rates of duty, substitute:
5%, and $40.82/L of alcohol
NZ/PG/L/C/LDC/SG: $40.82/L of alcohol

DCS:3%, and $40.82/L of alcohol

10 Schedule 3 (subheading 2206.00.92, the rates of duty in column 3)
Repeal the rates of duty, substitute:
$40.82/L of alcohol
NZ/PG/L/C/LDC/SG: $40.82/L of alcohol
<table>
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<th>Schedule</th>
<th>Item</th>
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Note: The table above shows the actions taken regarding certain entries in various schedules. The actions include repealing the current duty rates and substituting a new rate of $40.82/L of alcohol.
30 Schedule 6 (cell at table item 24, column 3)
Repeal the cell, substitute:
$40.82/L of alcohol

31 Schedule 6 (cell at table item 26, column 3)
Repeal the cell, substitute:
$40.82/L of alcohol

32 Schedule 6 (cell at table item 34, column 3)
Repeal the cell, substitute:
$40.82/L of alcohol

33 Schedule 6 (cell at table item 45, column 3)
Repeal the cell, substitute:
$40.82/L of alcohol

34 Application
The amendments made by this Schedule apply in relation to:
(a) goods imported into Australia on or after the commencement of this Schedule; or
(b) goods imported into Australia before the commencement of this Schedule, where the time for working out the rate of import duty on the goods had not occurred before that commencement.

(3) Schedule 2, item 7, page 10 (subheading 2203.00.91, the rates of duty in column 3), omit “$69.16” (twice occurring), substitute “$40.82”.

(4) Schedule 2, item 11, page 11 (table item 8A, the rate of duty in column 3), omit “$69.16”, substitute “$40.82”.

(5) Schedule 2, item 13, page 11 (table item 11A, the rate of duty in column 3), omit “$69.16”, substitute “$40.82”.

(6) Schedule 2, item 15, page 11 (table item 10A, the rate of duty in column 3), omit “$69.16”, substitute “$40.82”.

(7) Schedule 3, item 3, page 14 (subheading 2206.00.13, the rates of duty in column 3), omit “$69.16” (twice occurring), substitute “$40.82”.

(8) Schedule 3, item 3, page 15 (subheading 2206.00.21, the rates of duty in column 3), omit “$69.16” (four times occurring), substitute “$40.82”.

(9) Schedule 3, item 3, pages 15 and 16 (subheading 2206.00.23, the rates of duty in column 3), omit “$69.16” (three times occurring), substitute “$40.82”.

(10) Schedule 3, item 4, page 16 (table item 20A, the rate of duty in column 3), omit “$69.16”, substitute “$40.82”.

(11) Schedule 3, item 4, page 16 (table item 20C, the rate of duty in column 3), omit “$69.16”, substitute “$40.82”.

(12) Schedule 3, item 4, page 16 (table item 20E, the rate of duty in column 3), omit “$69.16”, substitute “$40.82”.

(13) Schedule 3, item 5, page 16 (table item 23A, the rate of duty in column 3), omit “$69.16”, substitute “$40.82”.

(14) Schedule 3, item 5, page 16 (table item 23C, the rate of duty in column 3), omit “$69.16”, substitute “$40.82”.

(15) Schedule 3, item 5, page 16 (table item 23E, the rate of duty in column 3), omit “$69.16”, substitute “$40.82”.

(16) Schedule 3, item 6, page 16 (table item 22A, the rate of duty in column 3), omit “$69.16”, substitute “$40.82”.

(17) Schedule 3, item 6, page 17 (table item 22C, the rate of duty in column 3), omit “$69.16”, substitute “$40.82”.

(18) Schedule 3, item 6, page 17 (table item 22E, the rate of duty in column 3), omit “$69.16”, substitute “$40.82”.

(1) Clause 2, page 2 (after table item 2), insert:

2A. Schedule 1 At the same time as
2A. Schedule 1A to the Customs
Tariff Amendment (2009 Measures No. 1) Act 2009
commences.

(2) Page 3 (after line 9), after Schedule 1, insert:

CHAMBER
Schedule 1A—Ready-to-drink beverages
Excise Tariff Act 1921

1 Schedule (cell at table item 2, column headed “Rate of Duty”)
   Repeal the cell, substitute:
   $40.82 per litre of alcohol

Statement pursuant to the order of the Senate of 26 June 2000—
These amendments are framed as requests because they are to a bill which imposes taxation within the meaning of section 53 of the Constitution. The Senate may not amend a bill imposing taxation.

Statement by the Clerk of the Senate pursuant to the order of the Senate of 26 June 2000—
As this is a bill imposing taxation within the meaning of section 53 of the Constitution, any Senate amendment to the bill must be moved as a request. This is in accordance with the precedents of the Senate.

Senator CORMANN—These bills have been roundly discredited in the contributions by coalition senators over the last couple of hours. Not even Labor senators in the Senate Standing Committee on Community Affairs were prepared to put their names to the proposition that the government’s increased tax on alcopops had in fact reduced at-risk levels of alcohol consumption by young people across Australia. I quote very quickly the concluding remarks from Labor senators on the committee, who said ‘it was not possible to definitively conclude that this reduction in consumption had resulted in a reduction in levels of risky and high-risk consumption of RTDs by young women, leading to improved health outcomes.’

I guess that says it all. If government senators on the committee make a damning statement like this, what hope has the government got to convince the broader Australian community that this is a tax measure that is actually working to achieve health outcomes? The reality is that this was a tax measure. It was a revenue measure which the government, for political purposes, sought to dress up as a health measure. The government never put in place any performance measures or targets that would enable the Senate or the Australian people to assess whether the measure had been successful in achieving the results it set out to achieve.

It went downhill from there. For the last 11 months we have had the government tell us that the evidence is there, but if you ask the experts it is very clear: not one single piece of evidence has been provided by the government that this measure has resulted in a reduction of levels of at-risk alcohol consumption or in a reduction of alcohol abuse related harm in the community over the last 11 months. Here we are: we have given the government every single opportunity—through estimates, through two Senate inquiries, through debate in the chamber—and today we still do not have any evidence presented by the government; all we have seen is the government scrambling to close loopholes. We have seen a collapse in the estimated revenue from $3.1 billion to $1.6 billion. The government, in its great ability to spin even when things clearly are not working according to plan, said that this was what the government wanted all along.

In any event, I have today moved a series of requests for amendments which essentially will implement the recommendations of coalition senators on the community affairs committee. The effect of the amendments will be to validate the tax collected by the government between 27 April 2008 and the date of royal assent. There are a number of other provisions in the requests that have been circulated.

Senator BOB BROWN (Tasmania—Leader of the Australian Greens) (10.06 pm)—Senator Siewert will speak a little bit
more on the specifics of these requested amendments, but we are now looking at modifications to government bills which are going to raise some $1.6 billion over the next four years from the sale of what are called alcopops. The Greens and other members of the crossbench have been endeavouring to hypothecate a very small amount—I am talking about one to five per cent of that huge amount of income—to put into health measures and other measures to ameliorate and, hopefully, offset some of the impacts of alcohol abuse in Australia.

For reasons which are not quite evident to us—and I do not know how evident they are to the minister herself—the government has decided that it is not going to go that far. It will accept proposals to do with warning signs on labelling and on advertising but it will not go so far as to agree with proposals which would give sporting organisations an option other than alcohol advertising—and isn’t that a telling factor—or establish an alcohol hotline which would be available to those highly motivated Australians who wanted to get away from the problem they are in.

It needs to be said at this juncture, in this committee stage, that it is quite remarkable that the government in the Senate has said that it is not going to support those proposals. They are very, very modest proposals when it comes to the huge amount of revenue being raised here. Just a little later in the week, we are going to be asked by the government to agree to $2 billion to back the banks and big development corporations on the risk, which is yet unproven anywhere, that there may be some failure by overseas lenders to renew loans. That is $2 billion the government is going to put into the big end of town if that legislation goes through, but, as far as the proposals by the Greens are concerned, it refused to give a total of $20 million to provide an opportunity for sporting organisations not to have alcohol advertising funding them but to have the public purse doing it. That is money that did not have to come out of this $1.6 billion, but it is 1¼ per cent of this $1.6 billion and yet the minister said no. Now, a little bit of hypothecation goes a long way. It would have been wise of the minister to think this out a little bit better. The resolve of the Senate is being tested, no doubt, and there is a lot of thought, sense and community consultation that has gone into the proposals that Senator Siewert and the Greens have put forward, and I have no doubt the same is true for those put forward by Senator Fielding and Senator Xenophon. I would think that, if this debate does go overnight, the government should very seriously consider this intransigence, which is totally out of proportion to the matters we are dealing with here tonight and to the amount of money that this tax is raising.

I finally want to say at this juncture that last year I wrote to the Prime Minister asking for hypothecation of this money to help people who are having difficulties with alcohol and therefore offset the massive impact that alcohol abuse has on the economy, not to speak of society. I have had no reply. We passed a motion in this Senate almost 12 months ago warning the government that it could not take the Senate for granted as it went ahead and raised the money without bringing the legislation in 12 months ago. Well, that moment of test is now on. The government ought to be thinking very carefully overnight about whether or not it respects the role of the Senate and the very reasonable proposals that have been put before it or whether it expects to act like a steamroller. It might look at what happened to the Howard government. Obviously it has forgotten the three years leading to 2007. I think that in the cool of the morning the government might have time to think afresh. It would be very wise of it to do so.
Senator SIEWERT (Western Australia) (10.11 pm)—As Senator Brown has articulated, the Greens are hugely disappointed with the government’s response to our very reasonable, very well thought out proposals to provide a much more comprehensive approach to dealing with alcohol related harm than, in fact, the government were taking. The government came to the Australian people and to this place with a proposal to increase the excise on ready-to-drink alcoholic drinks, commonly known as alcopops, and were very clear in saying that this was about dealing with alcohol related harm. They very clearly articulated the harm that is occurring in the Australian community caused by alcohol in general and ready-to-drink alcopops in particular. Unlike the coalition, we actually do believe some of the evidence that has been presented—that, in fact, there has been an increase in young people, and particularly young women, drinking alcopops, which increases alcohol related harm. Also, very importantly, it sets up early drinking patterns, and that is why, as I mentioned in my speech in the second reading debate, producers particularly go for the sweet taste: to mask the taste of alcohol for young drinkers.

The government went to the Australian people saying that this was about dealing with alcohol related harm. They very clearly articulated the harm that is occurring in the Australian community caused by alcohol in general and ready-to-drink alcopops in particular. Unlike the coalition, we actually do believe some of the evidence that has been presented—that, in fact, there has been an increase in young people, and particularly young women, drinking alcopops, which increases alcohol related harm. Also, very importantly, it sets up early drinking patterns, and that is why, as I mentioned in my speech in the second reading debate, producers particularly go for the sweet taste: to mask the taste of alcohol for young drinkers.

We were being very sensible. I have spent a lot of time over the last year thoroughly researching, as have other Greens senators, the impact of alcohol on our community and how we should be addressing alcohol related harm. The overwhelming evidence is that things like this need to be part of a comprehensive strategy. Price is a very important factor; in fact, it is top of the list in terms of dealing with alcohol. But it should always be part of a comprehensive approach.

Senator Brown wrote on behalf of the Greens to the Prime Minister, saying, ‘If you want our support for this measure, you have to show us how it is part of a comprehensive approach.’ That was not quite 12 months ago—it was just after this tax was introduced, and we know that it has not been in place for 12 months yet. We never had a response to that letter. I also sent a copy of that letter to the health minister. We never had a formal response to that letter. We are still waiting for that formal response.

We not only wrote but followed that up with proposals that were framed in the context of (a) being a comprehensive approach and (b) being evidence based. The government also talk about evidence based approaches to a lot of their policies but in particular this policy. We have looked at the evidence; we have looked at what works; we

CHAMBER
have looked at the overseas examples. Guess what one of the other No. 1 issues is? Advertising. You have to address advertising. That is where the government do not want to go. It is No. 2 on the list, but the government do not want to go there. They do not want to close the loophole which allows alcohol advertising to be shown during children’s viewing times if you sponsor sport. If big alcohol sponsors sport, they get to show that ad during children’s television viewing times.

But that is not the only major issue with advertising and sponsorship; there is all the other sponsorship across sports, from what is termed big alcohol to taverns sponsoring the local sports group. I do not know about other states, but in my home state of Western Australia this is a really big issue. I know that it is a big issue because, when I raised this link between sports sponsorship and alcohol through the media, I got lots of phone calls from community sporting organisations saying, ‘You want to take away our funding.’ I said: ‘No, I don’t want to take away your funding. But I want to make sure that the funding that you get is not from taverns and from alcohol manufacturers so that you do not have to have their logo on your shirts.’ You know what? The international evidence shows that there is a direct link between alcohol abuse, sponsorship and the use of logos. Alcohol abuse goes up proportionally to the amount of sponsorship there is. There is a direct link there. Why doesn’t the government want to go there?

Do you know what? Although the Greens would prefer to ban advertising tomorrow, we are realistic and we know that that is not going to happen. We know that cutting off sponsorship is not going to happen tomorrow. We came up with a very sensible plan to phase out sponsorship. We came up with a very sensible plan to put a toe in the water in dealing with sponsorship. But did the government go there? No, they will not even consider it. They dismiss it. They will not fund any extra measures related to alcohol related harm. They will not take a comprehensive approach. The Greens have said all along that the government needed to fund a comprehensive approach, and they have not.

The problem with the price measure is that the impact will not last long. Yes, it has had an impact in reducing the number of standard drinks sold in Australia—we agree; it has. But, as I pointed out earlier, it will last a short time if we do not take a broader approach. That is what the evidence has shown overseas. The overseas evidence that the government quoted at the numerous inquiries that we have had in alcohol—and I have participated in three in the last 12 months—shows that price has an impact, but where it has been successful is where it has been linked to other measures in a comprehensive approach. It needs to be linked to addressing advertising, sponsorship and reducing licensing hours, and linked to social marketing programs, rehabilitation programs and support programs. All the evidence shows that. We know that it works: this is how we dealt with tobacco. We are not asking for anything different to what we asked for regarding tobacco in the past.

The community is behind these sorts of measures. They are sick of the damage that alcohol causes, whether it is when they are at a local sporting event or in their own family or domestic situation. They are sick of seeing alcohol abuse associated with sport splashed across the front pages. They do not want to see that anymore. There is strong support for these sorts of measures, and it is about time that the government woke up to it.

As I have said repeatedly, if this is genuinely about dealing with alcohol related harm, why aren’t the government prepared to spend a relatively small amount? The Greens asked for less than two per cent of this fund-
It is hard, I know, but as I said this morning the jig is up for the industry and they have got to start taking some responsibility—more than they have been taking. We need a more independent approach to the way we deal with advertising and we need the industry’s hands off advertising. They are still self-regulating their advertising, for crying out loud. How can you put an industry that makes billions of dollars out of the sale of alcohol in charge of regulating itself?

The industry wants to see that sort of thing continue. We know what other industries have been doing overseas in order to affect public policy. It is the same for the alcohol industry. They are very clearly affecting public policy. That is what they have been doing for the 12 months in which they have been actively lobbying around here, developing their bad alternatives to alcopops—and nobody will own up to who was doing it; they certainly did not at the committee hearings. They have been running specials—two bottles of spirits and you get a bottle of Coke, or one bottle of spirits and you get two bottles of Coke. They are misinterpreting the evidence and doing their own surveys.

I listened to it when I sat through two days of the inquiry and I sat through days of it at the other inquiries. I have heard all the evidence. I heard what they said about how they had surveyed their members and, guess what, there has been a lot of substitution and we did not get to see the data. The industry will not tell us how much they have paid for promoting their products. I have heard all of that. I have had them knocking on my door repeatedly.

We have put a lot of effort into understanding this issue, which is why we are so frustrated that the government is not prepared to move on it. We have thoroughly researched this. We have spoken to all the health bodies and we have read all the sub-
missions. We know what the issues are, we know the damage it causes and we know how to fix it. ‘Go the full distance’ is what we are saying to government. Wake up and realise that we are prepared to support it if you will address it with a comprehensive approach. But you are not prepared to because you are not prepared to go the extra yards to put in place a full, comprehensive program. That is what we are asking for.

We came up with very sensible proposals but, instead of doing what is required, you would rather have a barney in the Senate. Well, now you have got a barney in the Senate because you would not go the extra yards to fund the programs.

Senator Chris Evans—We won’t give in to every demand you make.

Senator SIEWERT—Is that what it is about? It is not about funding sensible programs to address alcohol related harm; it is about your not being seen to be forced to do the right thing when you have not been doing it. As I said, you have got a barney now. It is about small amounts of money. We were prepared to go with trial programs to get them off the ground but you would not even go that far. We are here at 10.25 pm arguing about it because you will not go the distance by putting proper programs in place that actually start addressing the issues around sponsorship. (Time expired)

Senator XENOPHON (South Australia) (10.26 pm)—It may be out of order to refer to interjections, but I think Senator Evans was right when he earlier interjected that it is, in a sense, a matter of price with respect to the various programs, because this measure raises revenue and is intended to deal with the whole issue of binge drinking.

One of the first issues the media asked me about when I came to the Senate was what I thought of the measures. I consistently said nine months ago that I thought that $53.5 million—out of what back then was $3.1 billion—for tackling binge drinking seemed to be quite inadequate. I also said that I was sympathetic to the intent of the measure as it had been portrayed to me by the government—and I accepted the government’s position at face value—which was to tackle the issue of binge drinking, which the government identified, quite rightly I believe, as being a very real social problem. The uptake of drinking by young people, especially young women, was emerging as a very significant social issue. This particular measure was intended to tackle that by increasing the price of the beverages and also by putting money aside for programs that could actually make a difference. That is something that I have not resiled from.

The issue now is the extent to which the government has made commitments to deal with binge drinking. That $53.5 million hardly seems to be adequate. I refer you to the media release made jointly by the Minister for Health and Ageing and Senator McLucas in relation to the National Binge Drinking Strategy. Reference was made to measures, to community groups and to programs, and I referred to some of those in the context of my second reading contribution. As I understand it, over 300 applications were received for these community based programs and only 19 were funded because of the constraints of the revenue available in the context of the government’s National Binge Drinking Strategy. In my quick back-of-the-envelope calculation, that works out to about $3.5 million for the 19 programs.

These programs, let us make it clear, were national programs throughout the country. They included, for instance: the Nambucca Valley Youth Services Centre for the Mid North Coast Street Team—$250,000 to engage young people in developing and implementing preventative strategies to reduce the incidence of risky alcohol use; the King
Island Council, for the Youth Access Program—$60,800 to provide alcohol-free venues for youth related activities; the Lutheran Church of Australia—$248,954 for the ‘On Friday Night in Kilburn’ project; the Australian Red Cross Society Queensland, for the Binge Drinking Harm Minimisation Project—$150,000 to respond to binge drinking, specifically towards the needs of vulnerable target groups in the greater Brisbane and Toowoomba areas; Anglicare North Queensland Ltd, for their Youth Substance Misuse Service’s binge drinking initiative—$150,000 to provide school leavers with awareness of laws, penalties, standard drinks, drink spiking and many similar activities; and the Russian Ethnic Representative Council of Victoria for their Reducing Binge Drinking in Russian/Slavic Communities project—$150,000 to conduct a broad community education campaign. These were just some of the many worthy projects that were approved. But, given that there were 319 projects, and even if a third of those would have been eligible and would have had a great degree of efficacy about them, that still shows that there is a lack of adequate funding.

I think it is important to reflect on what both the health minister and Senator McLachlan said in that media release:

It is important to empower local communities to deliver local solutions to local problems. They know best the specific circumstances and details of what goes on in their own regions, towns and cities.

They have a solid understanding of what activities will and won’t work. They also have the commitment and energy to succeed.

The media release goes on to say:

The grants will enable community groups and organisations to combine in strong, effective partnerships to combat binge-drinking alongside community members and organisations such as police, health and youth workers, cultural groups and local government authorities.

It went on to say:

The Rudd government is determined to fight binge-drinking. These grants will enable the battle to be taken directly into local communities, by local communities for local communities.

I could not agree more with what the government is doing, and the government is to be commended for these projects. They are diverse projects from a combination of community groups, NGOs such as the Red Cross, ethnic community groups and church groups. They are a good mix of projects, but there simply are not enough of them. We need to have many, many more of these projects in order to make a significant difference, and that is why I believe it is important to provide additional funding for that. That is my concern.

On the issue of sponsorship that Senator Siewert has spoken about, I think it is very important that we put that in context as well, because the effect of sponsorship by alcohol companies on young people should not be underestimated. There is also the issue of advertising, which Senator Fielding has been outspoken on for some considerable time. I commend him for the bill that he introduced last year to deal with alcohol related harm which I believe had very many good elements in it. This is not simply about money; it is about making a difference with the significant revenue that the Commonwealth is getting from this measure—$1.6 billion over four years—on top of about $6.7 billion in revenue that it gets each year from alcohol excise. When you consider how little goes into preventative measures to directly combat binge drinking and alcohol abuse, I think it is quite reasonable to consider that this measure targeted towards binge drinking actually addresses the issue of binge drinking in a much more substantive way.
On the issue of advertising—which, as I said, Senator Fielding has been outspoken on for some considerable time and deserves credit for—let us look at the research. Research by a team from the University of Connecticut and published in the journal *Archives of Paediatrics and Adolescent Medicine* provides some support for the WHO recommendation in relation to alcohol advertising. This research found that for each extra alcohol advertisement experienced per month, young people consumed one per cent more drinks. The researchers also analysed young people’s drinking in relation to the money spent on advertising based on industry figures and found investment in marketing also increased consumption. The finding that alcohol advertising was a contributing factor to young people’s drinking quantities over time is a significant one. I think it is important that that causal link is considered. And that is not a measure that involves spending any extra money; it is a measure that involves regulation.

I am concerned that the government has not been prepared to take on to a greater degree the alcohol industry in relation to this. Senator Siewert has said that the industry has been lurking around the corridors. I always enjoy talking to Gordon Broderick, one of the lobbyists for the industry—and I say that genuinely; we may agree to disagree, but he is a very affable chap to talk to. I think the industry did drop off some Passion Pop and some other alcopops, which are on a shelf unopened, I want to assure Senator Evans—although one of my staffers did say that the bottle of Passion Pop did bring back some fond, or maybe not so fond, memories from his youth which I will not go into in any more detail! But I think it is important to put that in the context that there is an opportunity to do a lot more on this. I can understand that the government says, ‘We are spending this $53½ million and we are also spending $872 million under the COAG initiatives on various health issues.’ But let us put that in perspective. The healthy children initiative—again, a worthy initiative—provides for interventions for children from zero to 16 years of age to increase physical activity and improve nutrition through childcare centres, preschools and families. The government’s document in relation to that says that states and territories will be able to address prevention of excessive alcohol consumption as part of these programs. Well, of course they will. But the fundamental question I have asked in relation to that $872 million for programs is: how much of that—which the government says is new money and I accept its word that it is new money—is in fact for new programs?

One of the key issues that needs to be determined here is: are these programs that would have been implemented in any event genuinely new projects? Given the government’s quite laudable commitments to dealing with issues of childhood obesity or increasing physical activity or measures to do with tobacco, which is one of the other matters that will be dealt with in this $872 million, to what extent are these genuinely new projects an advance as a direct result of the $1.6 billion that has been raised? That is an issue that my office has not been able to get a fixed or firm answer on. I do not want to be critical of Minister Roxon’s office because I believe that they have been absolutely helpful and genuine in terms of information we have requested, but there seems to be a lack of appropriate research, a lack of material in relation to this, and I think that is a real problem.

For instance, the healthy communities program relates to healthy living programs supporting physical activity, improved nutrition, smoking cessation and reduced alcohol consumption to be rolled out nationally through local government organisations in
socioeconomically disadvantaged areas. Al-cohol consumption is part of that, but in terms of this specific measure—dealing with alcopops and binge drinking, particularly by young people—the sorts of programs that have actually made a real difference have been the $3.6 million in the round of grants for grassroots community work targeted at combating the impact of binge drinking. To me, the real problem is that not enough has been spent.

I can understand the frustration of the government, but, given what the government’s intentions have been to deal with this, I think that this is about the binge drinking. It is about tackling this serious social issue. The principal difficulty I have had is that the funding that has been set aside—and this cannot be categorised as pork-barrelling of one particular state; it is about money being spent nationally—has been insufficient. I am not suggesting that the criteria be changed for the funding or that it be allocated to one particular community or state or region; it is about ensuring that there are enough of these programs rolling out to make that big difference in terms of binge drinking.

One of the issues that has been raised—and I am grateful to the Parliamentary Library for the research that they have done on binge drinking programs elsewhere around the world—is that the conclusion has been reached that it is not surprising that comprehensive community level interventions should prove most successful in reducing binge drinking amongst young people, given the multifaceted nature of alcohol related problems. The World Medical Association notes that alcohol related problems are the ‘result of complex interplay between individual use of alcoholic beverages and the surrounding cultural, economic, and physical environment, political and social context and, as such, broad based approaches that employ different but synergistic strategies are required to effectively tackle binge drinking’.

I could not agree more. That is the sort of thing that needs to be done in tackling this and I believe that the government has shown the way forward with the first lot of grants, totalling $3.6 million, to deal with it. But that is simply not enough to get to that tipping point of making a significant difference to appreciably reduce the level of binge drinking in the community. That is why I think that, if there is a way for the government to ensure that there are additional funds to make this difference, this could be a worthwhile measure. But, on the basis of the evidence before me and on the basis of the commitments already made, I cannot support this measure.

Senator FIELDING (Victoria—Leader of the Family First Party) (10.41 pm)—The government got themselves in a bit of a mess because, if you look at these figures, the cost of mopping up after alcohol is $15.3 billion a year. You look at the statistics and see that there are 4,300 alcohol related deaths a year. Forty per cent of police work is alcohol related. One in five road deaths is alcohol related. And the best that you mob can do is a tax grab. That is insulting. It is a con.

Senator Chris Evans interjecting—

Senator FIELDING—Settle down! Back in September 2007 Family First put forward three real measures to start to address the culture of binge drinking and reinforce a responsible drinking culture through the Alco- hol Toll Reduction Bill. Frankly, you have been stalling ever since we introduced the bill. To be absolutely clear, I spoke to the current Prime Minister before he was Prime Minister—and I will not divulge what he said, but I did I raise the issue well before the last election—and I was absolutely gobsmacked to think that the best that you
folks could do was pull the tax lever on one product.

The measures that Family First put forward were, firstly, health warning labels on alcohol products. It makes sense; you cannot defend not putting those labels in place. The second measure was to address the crazy exemption given to sports programming which allows alcohol ads to appear any time of the day, and the third one was to get alcohol advertising out of the industry’s hands into the hands of a regulatory body independent of the industry. We have a situation in Australia, through inaction by the Rudd government, that has allowed alcohol and sports to continue to be tied so closely together, and we have seen only in the last few weeks some of the issues that sports have with alcohol. You try to apply a brake, but you have your foot down on the accelerator, allowing alcohol advertising to continue any time of the day because it is during a sports program. Why would you allow that tight link between sport and alcohol when you have clearly got a problem?

You are doing Australian families a dis-service and hiding behind a tax grab. You should come clean and say it is a tax measure and maybe get the Treasurer to come and do the negotiations on the tax measure rather than Minister Roxon. In good faith, we have been in discussions with them. We are hoping to see some real action rather than hiding behind a tax grab. I was still hoping that you folks would move on all three measures in that area.

We are left with the situation that money has been collected. The last thing that Family First wants to see is for that money to go back to the industry. I do not think there is anyone in this chamber here who would like that money to go back to the alcohol industry. What we have got before us is a request for an amendment to basically authorise that money to be kept by the government for the year. We do not want any furphies getting out there tomorrow that we want to see the money go back to the industry. I am making it quite clear that this is a request for an amendment so that the money collected up until this measure receives royal assent actually stays with the government. We do not want to camouflage, again, the issues about where the money would go.

Senator Chris Evans—That is not what this does. It also reduces the tax rate.

Senator FIELDING—I am hoping that the Leader of the Government in the Senate does know what is in front of the chamber.

Government senators interjecting—

The TEMPORARY CHAIRMAN (Senator Moore)—Order! Senator Fielding has the call. If you wish to make a statement in the committee stage, you can seek the call and have the discussion in that way.

Senator FIELDING—It is not my request for an amendment, by the way, but I am happy to talk to it. It is quite clearly to make sure that the revenue that has been collected by the government stays with the government. I will say that Family First will be moving a further request, beyond this one, that will allow the revenue for the last year to be kept by the government and to be collected for the next six months with a sunset clause. That allows the government another six months.

Some people have come to me saying, ‘Why would you allow the government another six months when they have already had a year to put real action in place? Why would you give them another six months?’ You sit there and you think, ‘Well, gee, you are right. Why would you give them another six months?’ In good faith, though, you want to see whether the government really does want to move on these Family First issues and so we will still be moving our request, but we
do want to make sure that the money does stay with the government. The last thing we would want is to see this money go back to the industry.

I think that anyone who votes against this amendment is basically saying that they do not want the government to keep it. That is what this request does. It authorises and legitimises the revenue that has been captured to stay with the government. Others may want the money to be spent on certain areas. The main purpose of this requested amendment is to make sure that the money that has been collected does not go back to the industry and that it stays with the government. I think that I will also talk to the Family First request following the subsequent one to this. I will make it quite clear that this is about making sure that the revenue collected does not go back to the industry and I urge all senators in the chamber to support this request.

Question put:
That the requests (Senator Cormann’s) be agreed to.

The committee divided. [10.54 pm]
(The Temporary Chairman—Senator C Moore)

Ayes……….. 40
Noes……….. 28
Majority……. 12

AYES
Abetz, E.
McDonald, L.
Barnett, G.
McGauran, J.J.
Birmingham, S.
Minchin, N.H.
Brandis, G.H.
Parry, S.
Bushby, D.C.
Ronaldson, M.
Colbeck, R.
Scullion, N.G.
Cormann, M.H.P.
Troeth, J.M.
Fielding, S.
Williams, J.R.
Fifield, M.P.

NOES
Arbib, M.V.
Bishop, T.M.
Cameron, D.N.
Conroy, S.M.
Evans, C.V.
Faulkner, J.P.
Furner, M.L.
Hoffman, A.
Ludwig, J.W.
Marshall, G.
McLucas, J.E.
O’Brien, K.W.K.
Pratt, L.C.
Stephens, U.

PAIRS
Adams, J.
Boswell, R.L.D.
Joyce, B.
Ferguson, A.B.

* denotes teller

Question agreed to.
Progress reported.

ADJOURNMENT
The PRESIDENT—Order! It being 10.57 pm, I propose the question:
That the Senate do now adjourn.

Intelligent Island Program

Senator BILYK (Tasmania) (10.57 pm)—I rise to speak tonight about CSIRO Tasmania’s Information and Communications Technologies Centre. Recently I visited the centre, which is based in Hobart. It is funded jointly by the Australian government Department of Innovation, Industry, Science and Research through the Intelligent Island Program and the CSIRO. The Intelligent Island Program is administered by the Tasma-
nian government Department of Economic Development and Tourism, or DEDT. The funding package is worth $30 million over five years, with both the government and the CSIRO providing half the funding. The CSIRO has a number of research groups: climate adaptation, energy transformed, water for a healthy country, wealth from oceans, preventative health, food futures, light metals, niche manufacturing and minerals down under.

The CSIRO ICT Centre aims to maximise the impact of information and communication technologies in an innovative way for Australian industry and society in general. The centre is working towards ensuring that Tasmania is competitive at an international level in the ICT field. The Intelligent Island Program was introduced in 2006 to ensure that Tasmania’s ICT and ICT-enabled industries continue to grow and develop. This is necessary to ensure that Tasmanians have access to the best technology available.

The ICT centre currently has approximately 30 research staff, many of whom have international experience. CSIRO researchers are rated as being in the top one per cent of computer scientists in the world. In conjunction with the University of Tasmania, scholarships will be provided to give 10 PhD students the opportunity to work with the CSIRO researchers. The scholarships are worth $12,500 a year per student and run for three years. Such scholarships will help attract top students to the University of Tasmania. All of the people who come to Hobart to study and work at the centre contribute to the Tasmanian economy and each project also has a flow-on effect. The CSIRO receives funding under the government’s Australian Growth Partnerships, and this allows the CSIRO to support small and medium enterprises in related areas so that they can access the research and facilities of the organisation. In turn this gives the SMEs the opportunity to achieve greater results sooner.

Australian Growth Partnerships facilitate job growth and creation ability as well as increasing gross domestic product. National exports also increase, and a market perspective instead of a purely scientific approach is used in relation to the commercialisation aspects of their research. The CSIRO benefits from an increase in engagement of small and medium enterprises and the many benefits associated with this.

The centre undertakes research into projects of national significance such as water resource information systems, tailored wellness information delivery, genomic research, marine observation, aquaculture efficiency and energy management. Staff are encouraged to develop entrepreneurial skills through a partnership with the Australian Innovation Research Centre.

The CSIRO ICT Centre works with other CSIRO researchers throughout Australia to improve current technology and to create new systems with the aim of improving the way people live their daily lives. Developing new medical technology is an important part of the centre’s work. To date, the centre has set up a system to support the community in its fight against obesity and the many health problems associated with this issue. This is done through a partnership with Verdant Health and looks at the ways mobile phones can be used to enhance compliance with weight management programs. The technology can be used for other health conditions such as diabetes, which I know is an issue of great interest to many senators. The centre is also working with the Cancer Council of Australia to promote healthy eating and a tailored bowel cancer screening tool. Efforts to identify genes that lead to colorectal cancer and neurodegenerative diseases are also being made.
A high-speed connection known as Echo-Cardiographic Healthcare Online Networking Expertise in Tasmania, or ECHONET, is used between the cardiac units of the Royal Hobart Hospital and the North West Regional Hospital. This has been developed in order to make consultation between doctors easier. It educates doctors better and also limits the number of patient transfers. This not only improves patient care and provides learning opportunities for doctors but also has considerable economic benefits. ECHONET received a special mention in the Australian Telecommunications Users Group National Broadband Awards in Health. This award was for giving the North West Regional Hospital intensive care unit the opportunity to improve diagnosis and care through the use of ECHONET. I am sure Senator Bushby is interested in hearing about the benefits to Tasmania.

Looking after human health is just one part of the work being undertaken. Other projects are of equal importance, and they all impact on the community in one way or another. One project that has already been completed is an upgrade of the Australian plant pest database, which improves the detection and management of the pests that attack plant life. This database contains information about the diseases as well as the geographical areas pests can be found in. It is essential technology to limit the damage these diseases may have on the plant life, and in turn the economy.

The centre is working with energy providers to analyse usage patterns and to improve the level of efficiency. It is also aims to provide residential users, who account for 15 per cent of Australia’s greenhouse gas emissions, with the same management procedures currently only available to larger consumers. We all know that the electricity generation and transport sectors are integral to the economy and our everyday living. The two industries represent 50 per cent of the nation’s greenhouse emissions, and therefore effective management is essential to decrease greenhouse gas emissions. The program will also have an impact in the future on energy and road transport costs for both individuals and businesses.

Yet another project has also been developed to predict weather patterns to allow for an irrigation schedule to be set at the Elliot Research Farm near Burnie, Tasmania. A hydrological sensor web test bed is being built for the South Esk River in the state’s north-east. This system will be able to predict water flow. Mitigation of flood risk and more sustainable allocation of water during times of limited supplies also form part of the water usage research. It is hoped that by 2025 the social, economic and environmental benefits of Tasmania’s water will have increased tenfold. The increased use of low-emission distributed energy, generated close to the user, is considered an important way to respond to Australia’s growing energy demands in a low-cost, low-CO2 way.

The Wealth from Oceans Flagship program is focusing on the Derwent and Huon estuaries and the D’Entrecasteaux Channel. These regions have pristine wilderness, urban development, industrial activity and agriculture as well as aquaculture and tourism industries. The aim here is to find a way for these industries to coexist and to do so with limited damage to each other and the water quality. The CSIRO has set up the Tasmanian Marine Analysis Network as a way to cost-effectively and automatically observe and analyse the environment. Underwater sensors are being developed to achieve this and to also help with the sustainable management of the growth of the various industries. The data gained from this program will be of benefit to both state and local government as well as aquaculturalists and environmental
monitoring and marine management agencies.

The centre aims to inform, interface, involve and invest with other stakeholders in the hope of achieving the best possible results in its endeavours. Partnerships with a variety of stakeholders have been set up and collaboration is just as important to innovation as ideas and science. Collaboration allows life’s big challenges to be met with vigour. The centre has partnerships with the Powercom Group, the Tasmanian Institute for Agricultural Research, Hydro Tasmania Consulting, Verdant Health, Insight4 and AQ1 Systems. The centre is open to new partnerships, and organisations are keen to work with the CSIRO because of the quality of its staff.

In conclusion, I would like to say that the CSIRO is a wonderful organisation and the work done at the Tasmanian centre is a valuable part of the national researcher’s work. Anything that can be done to sustain our environment into the future must be done, and Tasmania is certainly contributing its fair share to the research being conducted in Australia. I would like to take this opportunity to thank Stephen Giugni for showing me around and explaining the versatile work undertaken. I thank the Senate for its attention.

Dr Frederick Charles Schwarz

Senator BUSHBY (Tasmania) (11.07 pm)—I rise today to pay tribute to the life of an outstanding Australian, one who had an enormous impact on the sociopolitical events of the 20th century—possibly more so than any other Australian—but whose passing has largely gone unnoticed in Australia. Dr Frederick Charles Schwarz, a man who dedicated his life to the pursuit of truth and freedom, passed away in Camden, south-west of Sydney, on 24 January 2009. Born in January 1913 in Queensland, Fred Schwarz was raised as one of 11 children. He graduated with a science degree in 1943 from the University of Queensland and worked as a teacher for several years in Warwick, where he met Lillian. They were married in 1938 and he then returned to university to study arts and medicine. During his time as an intern, Dr Schwarz successfully fought for greater remuneration for financially struggling medical interns, demonstrating the tenacity and boldness that would come to epitomise his later career as a political activist.

In 1946 Dr Schwarz moved to Sydney, where he took over a medical practice in suburban North Strathfield, expanding it to become one of the most successful and busy in the western suburbs. During this time, he became aware of the threat that communism posed to humanity and began devouring all the material he could find on the topic. His wife, Lillian, has jokingly said that she often found four men in her bed: Marx, Lenin, Stalin and Fred. Dr Schwarz’s extensive reading and study eventually led him to defy a common notion of the time that communism was a good idea that just did not work in practice. He, in fact, was adamant that communism was a terrible idea and that it did work in practice, ‘unrestrained by law or conscience’, leading to suffering, oppression and the loss of millions of lives.

Despite a highly successful and lucrative career and a young family, he was a man consumed by the desire to pursue truth and freedom and was soon debating prominent communists of the time in Australia. He closed his medical practice in 1955 to focus full time on his work with an organisation called the Christian Anti-Communism Crusade, which he established in the US in 1950. His passion to educate the Western world on the dangers of communism led him to devote his life to this calling and he moved to the United States that year to further pursue this.
He spoke at meetings all over the US at churches, service clubs, universities, public meetings and even at a mass rally at Madison Square in New York.

He built up a network across the US and kept in touch via a bimonthly newsletter. He conducted schools of anticommunism in scores of cities and was particularly successful in California. It was here that many of Ronald Reagan’s future aides attended school—some helping as members of the crusade—and obtained a sound understanding of communism doctrine and practice. These aides were later partially responsible for the writing of the renowned ‘Evil Empire’ speech, which signified a solid drawing of the battlelines in the lead-up to the Cold War era ending. Ronald Reagan himself attended some of the school’s programs and became a firm supporter of the crusade. Following the collapse of the Soviet Union, Ronald Reagan personally wrote to Dr Schwarz, congratulating him for his life’s work. He was truly a warrior in his calling and this was acknowledged by all of those who followed his work. Reagan wrote:

Fred, you’re to be commended for your tireless dedication in trying to ensure the protection of freedom and human rights, and I know you join me in special satisfaction in the recent events in Eastern Europe. Of course, Lillian is also to be commended for being supportive of your lifelong efforts.

Fred also appeared before the House Un-American Activities Committee as an expert witness and copies of that evidence were distributed in their tens of thousands. In 1960, his first bestseller was published. It was entitled *You Can Trust The Communists (to be Communists)*. An important quote that summed up both the theme of the book and Schwarz’s philosophy in life was:

In the battle against Communism, there is no substitute for accurate, specific knowledge. Ignorance is evil and paralytic.

This book was profoundly important in influencing many prominent Americans of the day who would go on to stand up against the Communist threat, including, as mentioned, Ronald Reagan. His other books include, among many others, *The Three Faces of Revolution* and *Beating the Unbeatable Foe*. Of course, as with any bringer of the truth, attacks were constantly mounted against him by the liberal press of the day, encouraged by the communists. But despite their best efforts at undermining and infiltration—which they were particularly good at, at the time—not a hint of scandal or mismanagement was ever found. Nor could his arguments be refuted because so much of his information was based on the communists’ own writings. Dr Schwarz’s time in the public spotlight proved him to be a talented media performer. His intellect was sharp and his wit ever-ready to deliver. He constantly exasperated his opponents by always remaining of warm and friendly temperament.

In 1998, Dr Fred Schwarz retired from his anticommunism crusade, returning to Australia to retire in Camden with his beloved and ever-supportive wife, Lillian. I first met Fred Schwarz as a small child on one of his many visits to my home in Launceston. My father, Max Bushby, had known Fred for most of his adult life and my parents maintained a strong friendship with both Fred and Lillian throughout their lives. Through his friendship with Fred and their common beliefs in the threat that communism posed to freedom and the rights of people everywhere, my father became heavily involved with the Christian Anti-Communism Crusade and spent many years on its international board.

When my father was diagnosed with inoperable prostate cancer in 1993, in recognition of their relationship Fred offered to personally fund a trip to the United States so that Dad could undertake innovative treatment not then available in Australia. I personally
did not know him as well as I would have liked, but the interaction that I did have with him and the clear respect that my father had for him and the work they did together impacted on me deeply. It is not drawing too long a bow to say that the grounding that I received in the need to ensure government does not interfere unnecessarily in the freedom of its citizens or in the choices they should be able to make in their lives—as a direct result of the activities of my father, which were inextricably entwined with those of Dr Schwarz—set me on the path that has led me to this chamber. Republican commentator Phyllis Schlafly summed up the greatest achievements of Dr Schwarz’s career in one of many messages of thanks and tribute read out at his funeral. I will quote some of Phyllis Schlafly’s words to you now:

Dr Fred Schwarz is a monumental example of the Power of One. There are few people in the 20th century who had as widespread and lasting influence as he did … In those days, Communism was the biggest issue the United States faced—Communist infiltration of government and colleges and the growing Soviet missile threat. Dr Schwarz explained and taught the objectives, strategies and tactics of Communists to hundreds of thousands of Americans especially during the 1950s and 1960s, and continuing in later years. I believe it was the fact that grassroots America had been taught the truth about Communism that enabled Ronald Reagan later to brand the Soviet Union as the “evil empire”, to demand that Gorbachev “tear down this Wall”, and to eliminate the threat of Communism worldwide. As I travel around the country, I meet people every week who say, “It was Dr Schwarz’s school on Communism that started me in the conservative movement. Fred Schwarz’s reward should be rich in Heaven. Not only all Americans, but people all over the world, are in his eternal debt.

How apt that in this year, the 20th anniversary of the fall of the Berlin Wall, we remember such a life. Throughout his extraordinary and fast paced career, Dr Schwarz was sustained in his work by his personal faith, the unassailable strength of his convictions and the love of his family. As a family man, affectionately known as ‘Nandi’ by his grandchildren, Fred was much loved. He is survived by his wife, Lillian; their three children, John, Rosemary and David; and their adopted son, John Whitehall.

Despite accolades by some of the most outstanding Americans of his time and the lasting impact his influence has had on averting the very real threat to the West posed by communism during the Cold War, there was, shamefully, very little in the Australian media to mark the passing of one of the 20th century’s most influential Australians. It is therefore of great personal and professional importance to me, in marking his passing, to acknowledge the life of a great Australian, an Australian who will be missed by his family and those to whom he offered so much insight and wisdom. He was not known as well as he should have been in this country but his legacy is experienced by all Australians in the freedoms we now enjoy. I am proud to have known him and I truly believe that the world is a better place because of his work.

Racism: Durban

Senator FIELDING (Victoria—Leader of the Family First Party) (11.16 pm)—Racism is one of the most vile and disgusting evils in our society. It represents the worst aspects of humanity. This baseless hatred has been responsible for so much bloodshed and suffering over history. Millions of people have been slaughtered because of their race, religion, colour, or national or ethnic origin.

Tragically, racism is still alive and flourishing today. Despite the tremendous advances which humans have made in fields such as science and the arts, racism continues to rear its ugly head across all four corners of the globe. Nowhere is this more ap-
parent than at the UN-sponsored Durban Review Conference, which is scheduled to take place this year in April. Commonly known as Durban II, this conference is a sad sequel to the original World Conference Against Racism which was held in Durban in 2001. The 2001 conference was rife with base anti-Semitism. Jewish attendees were subjected to verbal and physical assaults, and sickening racist material was widely distributed. The 2001 conference was so appalling that both the US and Israel walked out on the conference, and a host of other nations condemned the event. Rather than working towards eliminating racism, the conference was transformed into a platform for abuse and gave legitimacy to some of the worst expressions of hatred.

Durban II is already promising to become a repeat of this event before it even commences. The planning of Durban II has been hijacked by countries such as Libya, Iran and Cuba, some of the worst human rights offenders across the globe. The draft declaration singles out only one country for condemnation—Israel. Israel, the only free and open democracy in the Middle East, is accused of torture, collective punishment, apartheid and abuse. Nothing is mentioned of the shocking genocides and ethnic cleansing taking place across Africa and Asia. No reference is made to the awful slavery that still runs rampant across many parts of the world. No concern is raised about the terrible abuse and discrimination suffered by women in various nations on this earth. Only one country, it seems, is guilty of these crimes: Israel. The award-winning journalist and author Thomas Friedman once said:

Criticising Israel is not anti-Semitism and saying so is vile. But singling out Israel for ... international sanction out of all proportion to any party in the Middle East is anti-Semitic, and not saying so is dishonest.

The Durban II conference is scheduled to begin on 20 April 2009, which also happens to be the same day that Adolph Hitler was born, a day still celebrated today by many Neo-Nazis across the world. How appropriate, therefore, that this festival of hatred should take place on the same day that one of the most evil men in human society was brought into this world.

Why do I raise this issue here in parliament? Because Australia at this stage is still planning to attend this disgraceful event. It seems the Rudd government’s fanatical obsession with winning a seat on the Security Council has caused it to lose its moral compass. It seems the prospect of winning the cheap votes of many African and Asian countries is enough of an incentive for us to abandon our morals and ideals. This was seen last Wednesday when Australia lifted its longstanding ban on providing non-humanitarian aid to Zimbabwe. In the race for a Security Council seat, the Rudd government has now decided that it is acceptable to give money to an oppressive regime which purposely starves its population. I urge the Rudd government not to turn us into a nation of appeasers. Our morals cannot be sold for a seat on the Security Council.

America, Canada, Israel and Italy have already announced that they will boycott the Durban II conference. Britain, the Netherlands and France have also stated they are seriously considering doing the same. Australia must join these countries in condemning the conference and announcing that it will not play any part in this festival of hatred. If the price of a seat at the UN Security Council is participation in a hate-filled conference, then Australia needs to seriously reconsider whether this is a price worth paying. To put it in simple business terms: this is a bad deal.
Victorian Bushfires

Senator FARRELL (South Australia) (11.22 pm)—In the few minutes that remain to me this evening, I will pay tribute to and thank the courageous South Australian firefighters and volunteers who fought the disastrous and deadly bushfires in Victoria. Since the horrendous fires transformed many Victorian villages, hamlets and farmhouses to ashes, about 750 South Australians have volunteered to fight fires and provide support to our sister state and have demonstrated great courage and determination in keeping the flames at bay. South Australians know only too well about the extreme dangers of bushfires and the havoc and devastation they can cause, not to mention the human tragedy. They have been pleased and willing to put up their hands to volunteer for duty in the fire ravaged areas of Victoria.

At last count almost 640 Country Fire Service, Forestry SA and Department for Environment and Heritage volunteers have been deployed in Victoria, in addition to more than 110 Metropolitan Fire Service personnel. Some of these brave firefighters have volunteered two or three times. We also sent over 48 operational staff, some of whom went more than once. We also sent to Victoria 25 Country Fire Service and Department for Environment and Heritage appliances and two paramedics, as well as an Erikson air-crane, which was deployed on 8 February for a total of six days.

All in all, South Australia’s Country Fire Service has sent 19 teams of firefighters and five incident management teams—a considerable number when one considers that each Country Fire Service team comprises up to 75 people: a mixture of firefighters and incident management, planning, logistics, mapping support and stress prevention staff. A 20th team was due to have been sent on 4 March but was cancelled due to the much-needed rain that started falling on the fire areas. Each team has been deployed for five days in total, including rest time and travel time. All teams have flown to Victoria and have fought fires in most of the ravaged areas of the state. All 110 Metropolitan Fire Service firefighters have been volunteers and have been deployed on their rostered days off, so their involvement, therefore, has not impacted on MFS resources at all in Adelaide. These firefighters have fought blazes in a variety of areas, including Hamilton, Churchill, Whittlesea, Alexandra and Murrindindi.

Of course, the work of the Country Fire Service is not without its hazards and great dangers. One of our Country Fire Service firemen, Ian Kleinig, a lieutenant from the Burra Brigade in Region 4, was struck by a large tree limb while working on the containment of the Murrindindi complex of fires near Alexandra, north-east of Melbourne. He was helicoptered to the Royal Melbourne Hospital with head injuries, where he remains in a high-dependency ward, although staff say they are seeing improvements each day. Mr Kleinig is married with two young children, and his wife flew to Melbourne to be by his side. I am sure that everyone in this chamber and in the other will join with me in wishing Ian well.

Victorian deployments are based on formal requests from that state, with South Australia making a decision on the requested deployments as they arise. They are conducted in such a way that resources are taken from across South Australia in consultation with each region so as not to leave any area of the state short of resources at any one time. So far, South Australia’s Country Fire Service has been able to provide assistance when it has been sought, and, fingers crossed, will continue to have the personnel to do so, provided South Australia remains free of bushfires.
The state of readiness of firefighters in South Australia is not impacted by these ongoing deployments to Victoria. The CFS in South Australia has more than 10,700 volunteers and 90 staff who are willing and able to respond to incidents in South Australia on a daily basis. It provides a range of fire and emergency services to more than 434 communities across South Australia and each year attends more than 7,000 incidents, including bushfires, structure and motor vehicle fires, road crash rescues and hazardous material spills. The CFS also supports the state’s Metropolitan Fire Service and State Emergency Service and works closely with local government to perform the important role of fuel removal, bushfire prevention and community bushfire and fire safety education.

At this time, I would like to reassure South Australians that there is no danger or any fear of any interstate deployments leaving our own state shorthanded in the event of fire outbreaks. At the same time, I must offer my thanks to the South Australian firefighters, support staff and paramedics for the sterling effort they have achieved in Victoria. Indeed, South Australians, while fiercely determined to beat the Vics at football, are just as fierce in their determination to help their brother and sister firefighters and friends over the border. The Victorian fires, savage and disastrous though they have been, have proven yet again that when it comes to tragedy Australians work together as if state borders never existed. They have, in the true spirit of mateship, fought the fires and worked together in the face of adversity and have overcome all the fury that nature threw at them. I congratulate them and sincerely thank them for the totally selfless and courageous work that they undertake in keeping our communities safe from fire and other incidents, be they working in South Australia or elsewhere in Australia. Thank you.

Senate adjourned at 11.28 pm

DOCUMENTS
Tabling

The following documents were tabled by the Clerk:

[Legislative instruments are identified by a Federal Register of Legislative Instruments (FRLI) number]

Civil Aviation Act—Civil Aviation Safety Regulations—Airworthiness Directives—Part—

105—

AD/PA-42/17—Main Landing Gear Actuator Attachment Bolt [F2009L00872]*.
AD/PA-42/19—Main Landing Gear Upper Strut and Oleo Tube Plug [F2009L00870]*.
AD/PA-42/20—Main Landing Gear Forward Side Brace [F2009L00868]*.
AD/PA-42/21—Main Landing Gear Upper Strut Housing [F2009L00867]*.
AD/PA-42/22—Upper Main Landing Gear Housing Lower Side Brace Link Lug [F2009L00866]*.

107—AD/PADS/1—Precision Aerial Delivery System (PADS) Static Line [F2009L00865]*.

Commissioner of Taxation—Public rulings—

Class Rulings—

Notice of Withdrawal—CR 2006/27.
Miscellaneous Taxation Ruling—Notice of Withdrawal—MT 2049.

Taxation Ruling (old series)—IT 2592.
Customs Act—Tariff Concession Order 0837559 [F2009L00574]*—[in substitution for instrument tabled on 10 March 2009].
Excise Act—Excise By-laws Nos—
156 [F2008L04516]—Explanatory Statement [in substitution for explanatory statement tabled with instrument on 1 December 2008].


Therapeutic Goods Act—Therapeutic Goods Order No. 69C—Amendment to Therapeutic Goods Order No. 69—General requirements for labels for medicines [F2009L00985]*.

* Explanatory statement tabled with legislative instrument.

Indexed Lists of Files

The following documents were tabled pursuant to the order of the Senate of 30 May 1996, as amended:

Indexed lists of departmental and agency files for the period 1 July to 31 December 2008—Statements of compliance—

Broadband, Communications and the Digital Economy portfolio agencies.
Department of Education, Employment and Workplace Relations.
Department of Foreign Affairs and Trade.
Environment, Heritage and the Arts portfolio agencies.
QUESTIONS ON NOTICE

The following answers to questions were circulated:

Defence: Reviews
(Question Nos 820 and 821)

Senator Johnston asked the Minister representing the Minister for Defence, upon notice, on 13 November 2008:

For each agency within the responsibility of the Minister/Parliamentary Secretary:

(1) How many reviews are currently being undertaken in the portfolio/agency or affecting the portfolio/agency.
(2) What was the commencement date of each review.
(3) When will each review be concluded.
(4) (a) Which reviews were completed in the period 1 April to 30 September 2008; and (b) when will the Government respond to the each of these reviews.
(5) As at 30 September 2008, what has been the cost of each of these reviews.

Senator Faulkner—The Minister for Defence has provided the following answer to the honourable senator’s question:

(1) (2) and (3) The Defence White Paper was commissioned on 22 February 2008 and will be delivered to the Government in 2009. For the list of reviews being undertaken as part of the White Paper, see the response to question 8 (taken on notice) from the Senate Standing Committee on Foreign Affairs, Defence and Trade Budget Estimates Hearing on 4 June 2008.

Other significant reviews which are currently being undertaken include:

- Review of Mental Health Care in the ADF – commenced in July 2008 and expected to conclude in January 2009; and

(4) (a) and (b) The following list of significant Defence reviews have recently reported and a Government response is expected this year:

- Defence Procurement and Sustainment Review – commenced in May 2008 and reported in September 2008;
- Review of the ADF Cadets Scheme – commenced in August 2008 and reported in November 2008;
- Air Combat Capability Review – commenced in February 2008 and reported in April 2008; and
- Review of Intelligence Capability – commenced in April 2008 and reported in June 2008.

(5) Please refer to my response to Senate Question on Notice No. 950.

Foreign Affairs and Trade: Program Funding
(Question No. 885)

Senator Ronaldson asked the Minister representing the Minister for Foreign Affairs, upon notice, on 24 November 2008:
For the 2008 calendar year, can lists be provided for: (a) the department’s top 5 program overspends and their costs; and (b) the department’s top 5 program underspends and their costs.

Senator Faulkner—The following answer has been provided by the Minister for Foreign Affairs to the honourable senator’s question:

As the department manages and reports its accounts on a financial year and not a calendar year basis, to provide figures for the 2008 calendar year would entail a significant diversion of resources and, in these circumstances, I do not consider the additional work can be justified.

Attached below are figures for the 2007-08 financial year.

### Overspends

<table>
<thead>
<tr>
<th>Department</th>
<th>2007-08 Budget</th>
<th>2007-08 Actual Expense</th>
<th>Overspend</th>
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<tbody>
<tr>
<td>Administered – Other Administered</td>
<td>$25,450</td>
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### Underspends

<table>
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<tr>
<th>Department</th>
<th>2007-08 Budget</th>
<th>2007-08 Actual Expense</th>
<th>Underspend</th>
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<tr>
<td>Departmental – Overseas Property</td>
<td>$87,782</td>
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<td>Departmental – Consular Services</td>
<td>$60,827</td>
<td>$51,312</td>
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<td>Administered – Payments to International Organisations</td>
<td>$214,471</td>
<td>$205,414</td>
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<td>Departmental – Other Departmental – DFAT</td>
<td>$529,767</td>
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<td>Administered – Passport Services</td>
<td>$1,174</td>
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<td>$176</td>
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**Foreign Affairs and Trade: Media Monitoring**  
(Question No. 903)

Senator Ronaldson asked the Minister representing the Minister for Foreign Affairs, upon notice, on 24 November 2008:

What is the aggregate amount spent by the department on media monitoring during the 2008 calendar year.

Senator Faulkner—The following answer has been provided by the Minister for Foreign Affairs to the honourable senator’s question:

1 January to 24 November 2008

$184,534.33

**Resources, Energy and Tourism: Media Monitoring**  
(Question Nos 916 and 917)

Senator Ronaldson asked the Minister representing the Minister for Resources and Energy and the Minister representing the Minister for Tourism, upon notice, on 24 November 2008:

What is the aggregate amount spent by the department on media monitoring during the 2008 calendar year.
Senator Carr—The Minister for Resources and Energy and the Minister for Tourism has provided the following answer to the honourable senator’s question:

The aggregate amount spent by the Department of Resources, Energy and Tourism for the period 1 January 2008 to 24 November 2008 was $0.358 million.

Foreign Affairs and Trade: Media Monitoring
(Question No. 926)

Senator Ronaldson asked the Minister representing the Minister for Foreign Affairs, upon notice, on 24 November 2008:

For the 2008 calendar year, can details be provided of the start date, duration, cost and nature (direct source or open source) of tender for each individual consultancy contract with the department dealing with: (a) media relations; (b) public relations; (c) public events management; (d) communications; and (e) communications strategy.

Senator Faulkner—The Minister for Foreign Affairs has provided the following answer to the honourable senator’s question:

The department has entered into two (2) consultancy contracts which are operational for the 2008 calendar year and deal with the topics described above.

(1) Ryebuck Media – consultancy contract for a scoping study for an “Explore the Arab World” educational kit, which is being commissioned by the Department on behalf of the Council for Australian-Arab Relations
   Start Date: 20 December 2007
   Duration: 3.5 months
   Cost: $18,700
   Nature of Tender: Select Source
   Category: Public Relations

(2) Tim Noonan Consulting – consultancy contract to review the smartraveller telephone service and website
   Start Date: 28 April 2008
   Duration: 1 month
   Cost: $15,000
   Nature of Tender: Direct Source
   Category: Communications

Resources, Energy and Tourism: Consultancies
(Question Nos 939 and 940)

Senator Ronaldson asked the Minister representing the Minister for Resources and Energy and the Minister representing the Minister for Tourism, upon notice, on 24 November 2008:

For the 2008 calendar year, can details be provided of the start date, duration, cost and nature (direct source or open source) of tender for each individual consultancy contract with the department dealing with: (a) media relations; (b) public relations; (c) public events management; (d) communications; and (e) communications strategy.

Senator Carr—The Minister for Resources and Energy and the Minister for Tourism has provided the following answer to the honourable senator’s question:
The department did not report any contracts relating to:
(a) media relations;
(b) public relations;
(c) public events management;
(d) communications; and
(e) communications strategy during this period.

Defence: Media Monitoring  
(Question No. 950)

Senator Ronaldson asked the Minister representing the Minister for Defence, upon notice, on 24 November 2008:

(1) Can details be provided, as of 24 November 2008, of the total number of all staff in: (a) the Minister’s office whose job description involves: (i) media relations, (ii) media advice, (iii) public relations, (iv) public affairs, (v) communications, and (vi) communications strategy; and (b) the department whose job description involves: (i) media relations, (ii) media advice, (iii) public relations, (iv) public affairs, (v) communications, and (vi) communications strategy.

(2) Can details be provided of the aggregate salary and superannuation costs during the 2008 calendar year for all staff in: (a) the Minister’s office whose job description involves: (i) media relations, (ii) media advice, (iii) public relations, (iv) public affairs, (v) communications, and (vi) communications strategy; and (b) the department whose job description involves: (i) media relations, (ii) media advice, (iii) public relations, (iv) public affairs, (v) communications, and (vi) communications strategy.

(3) Can details be provided of the aggregate travel costs during the 2008 calendar year for all staff in: (a) the Minister’s office whose job description involves: (i) media relations, (ii) media advice, (iii) public relations, (iv) public affairs, (v) communications, and (vi) communications strategy; and (b) the department whose job description involves: (i) media relations, (ii) media advice, (iii) public relations, (iv) public affairs, (v) communications, and (vi) communications strategy.

(4) Can details be provided of the aggregate mobile phone costs during the 2008 calendar year for all staff in: (a) the Minister’s office whose job description involves: (i) media relations, (ii) media advice, (iii) public relations, (iv) public affairs, (v) communications, and (vi) communications strategy; and (b) the department whose job description involves: (i) media relations, (ii) media advice, (iii) public relations, (iv) public affairs, (v) communications, and (vi) communications strategy.

(5) Can a breakdown be provided of every review, inquiry and committee which is being conducted in the department that has been announced since 1 December 2007.

(6) (a) How many of the department’s reviews, inquiries and committees are in progress or incomplete as of 24 November 2008; and (b) what are their reporting dates.

(7) In regard to each of the department’s review, inquiry and committee (completed and incomplete as of 24 November 2008) that has or is being conducted during the 2008 calendar year: (a) what is the number of departmental staff allocated to each; (b) what is the aggregate number of departmental staff allocated to all; (c) were external consultants engaged to assist in any; if so, which consultants and how much has each consultancy cost (please itemise for each); and (d) what have been the travel costs associated with those staff involved in each (please itemise for each).

(8) For the 2008 calendar year, what is the total cost of each departmental review, inquiry and committee, including staff wages, consultancy costs, travel and any other associated expenditure (please itemise for each).
Senator Faulkner—The Minister for Defence has provided the following answer to the honourable senator’s question:

(1) (a) One staff member, employed under the Members of Parliament (Staff) Act 1984. This staff member is the only one whose job is solely devoted to the categories listed in parts (i) – (vi).

(b) (i) – (iv) Please refer to my response to Senate Question on Notice No. 804.

(v) – (vi) The following people are involved in internal communications and communications strategy:

- 8 x Executive Level 1
- 12 x APS Level 6
- 4 x APS Level 5
- 1 x APS Level 4
- 4 x Contractors
- 1 x Wing Commander

(2) (a) (i) – (vi) The salary range only, is provided below, so as not to identify personal information of individual employees.

<table>
<thead>
<tr>
<th>Classification</th>
<th>Salary Range</th>
<th>Allowance</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senior Media Adviser</td>
<td>$85,500 to $116,400</td>
<td>$17,719 MSA*</td>
</tr>
</tbody>
</table>

* Ministerial Staff Allowance

Depending on their individual circumstances, senior staff may be eligible to be a member of the CSS, PSS or PSSap or may have employer superannuation contributions of nine per cent paid to an eligible superannuation fund of their choice. Individual details are not supplied due to privacy reasons.


The salary rates for military members are located on the Defence Pay Conditions Internet site at www.defence.gov.au/dpe/pac/Pay_Allow_May_08.pdf.

(3) (a) (i) – (vi) Refer to table below.

<table>
<thead>
<tr>
<th>Classification</th>
<th>Travel Costs*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Senior Media Adviser</td>
<td>$27,683.30</td>
</tr>
</tbody>
</table>

* Travel costs are up to and including 24 November 2008. No costs are included for any travel after 24 November 2008.

(b) I am not prepared to authorise the time and resources required to manually collect and assemble the highly detailed information sought in this part of the honourable senator’s question.

(4) (a) $15,810.75. This figure shows the mobile phone costs from 1 January 2008 to 30 November 2008.

(b) I am not prepared to authorise the time and resources required to manually collect and assemble the highly detailed information sought in this part of the honourable senator’s question.

(5), (6) (a) and (b) For information on reviews, see response to Senate Question on Notice No 820.

The inquiries, commissioned by the Chief of the Defence Force, currently under way in Defence and their expected report dates are:

- Inquiry into the death of CPL Goss – February 2009
The inquiries below have reported:

- Inquiry into the death of SQNLDR Hughes – March 2009
- Inquiry into the death of PTE Sher – February 2009

(7) (a), (b), (c), (d) and (8) The number of departmental staff allocated to each review or inquiry, their wages and travel costs, consultants and consultancy costs and other expenditure associated with each review and inquiry, up to the end of November 2008, is provided in the table below.

<table>
<thead>
<tr>
<th>Review/Inquiry</th>
<th>Staff$^a$</th>
<th>Wages$^b$ (approx) $</th>
<th>Travel $</th>
<th>Consultancy</th>
<th>Consultancy $</th>
<th>Other $</th>
<th>Total $</th>
</tr>
</thead>
<tbody>
<tr>
<td>WHITE PAPER ASSOCIATED REVIEWS</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>White Paper Companion Review Team</td>
<td>10</td>
<td>933,560</td>
<td>Nil</td>
<td>Capgemini</td>
<td>68,889</td>
<td>Nil</td>
<td>2,272,449</td>
</tr>
<tr>
<td>Defence Capability Plan Review</td>
<td>2</td>
<td>50,530</td>
<td>Nil</td>
<td>McKinsey</td>
<td>1,270,000</td>
<td>190,267</td>
<td>240,797</td>
</tr>
<tr>
<td>Preparedness, Personnel and Operating Costs Review</td>
<td>19</td>
<td>558,000</td>
<td>3,500</td>
<td>KPMG</td>
<td>134,560</td>
<td>Nil</td>
<td>1,176,060</td>
</tr>
<tr>
<td>Logistics Review</td>
<td>5</td>
<td>344,997</td>
<td>42,363</td>
<td>Deloitte</td>
<td>480,000</td>
<td>26,835</td>
<td>3,485,347</td>
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<tr>
<td>Estate Review</td>
<td>8</td>
<td>461,974</td>
<td>31,233</td>
<td>Edwards Management &amp; Consulting</td>
<td>261,009</td>
<td>21,717</td>
<td>2,586,363</td>
</tr>
<tr>
<td>Workforce Review</td>
<td>7</td>
<td>298,045</td>
<td>1,758</td>
<td>Booz &amp; Co</td>
<td>261,009</td>
<td>21,717</td>
<td>2,586,363</td>
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<tr>
<td>Industry Capacity Review</td>
<td>2</td>
<td>146,092</td>
<td>4,761</td>
<td>GAIN Resources Asia-Pacific</td>
<td>194,350</td>
<td>37,300</td>
<td>1,481,637</td>
</tr>
</tbody>
</table>

QUESTIONS ON NOTICE
<table>
<thead>
<tr>
<th>Review/Inquiry</th>
<th>Staff&lt;sup&gt;1&lt;/sup&gt;</th>
<th>Wages&lt;sup&gt;2&lt;/sup&gt; (approx)</th>
<th>Travel $</th>
<th>Consultancy $</th>
<th>Consultancy $</th>
<th>Other $</th>
<th>Total $</th>
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</thead>
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<tr>
<td>Information and Communications Technology Review</td>
<td>3</td>
<td>142,434</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
<td>142,434</td>
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<td>Science and Technology Review</td>
<td>7</td>
<td>465,234</td>
<td>12,800</td>
<td>Schofield Science and Technology Pty Ltd</td>
<td>6,188</td>
<td></td>
<td></td>
</tr>
<tr>
<td>Force Structure Review</td>
<td>14</td>
<td>1,231,568</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
<td>1,231,568</td>
</tr>
<tr>
<td>Force Structure Review</td>
<td>3</td>
<td>43,070</td>
<td>Nil</td>
<td>Mr Martin Brady AO</td>
<td>49,500</td>
<td>Nil</td>
<td>92,570</td>
</tr>
<tr>
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<td>3</td>
<td>142,434</td>
<td>Nil</td>
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<td></td>
</tr>
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<td>14</td>
<td>1,231,568</td>
<td>Nil</td>
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<td>3</td>
<td>43,070</td>
<td>Nil</td>
<td>Mr Martin Brady AO</td>
<td>49,500</td>
<td>Nil</td>
<td>92,570</td>
</tr>
<tr>
<td>Review on the Intelligence Capability</td>
<td>3</td>
<td>43,070</td>
<td>Nil</td>
<td>Mr Martin Brady AO</td>
<td>49,500</td>
<td>Nil</td>
<td>92,570</td>
</tr>
<tr>
<td>Review of Australian’s Air Combat Capability</td>
<td>6</td>
<td>98,786</td>
<td>2,598</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
<td>101,384</td>
</tr>
<tr>
<td>Defence Budget Audit</td>
<td>5</td>
<td>230,685</td>
<td>1,000</td>
<td>George Pappas McKinsey &amp; Co</td>
<td>267,000</td>
<td>Nil</td>
<td>4,258,685</td>
</tr>
<tr>
<td>INQUIRIES&lt;sup&gt;3,4&lt;/sup&gt;</td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
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<tr>
<td>Inquiry into the death of CPL Goss</td>
<td>9</td>
<td>10,937</td>
<td>458</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
<td>11,396</td>
</tr>
<tr>
<td>Inquiry into HMAS Sydney II</td>
<td>22</td>
<td>1,989,539</td>
<td>132,908</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
<td>2,122,447</td>
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<tr>
<td>Inquiry into the death of SQNLDR Hughes</td>
<td>11</td>
<td>16,403</td>
<td>4,477</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
<td>20,880</td>
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<tr>
<td>Inquiry into the death of LCPL Marks in Afghanistan</td>
<td>8</td>
<td>70,709</td>
<td>155</td>
<td>Nil</td>
<td>Nil</td>
<td>20,880</td>
<td></td>
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<tr>
<td>Inquiry into the death of SIG McCarthy in Afghanistan</td>
<td>7</td>
<td>63,214</td>
<td>1,178</td>
<td>Nil</td>
<td>Nil</td>
<td>64,392</td>
<td></td>
</tr>
<tr>
<td>Inquiry into the death of PTE Baker in Dili</td>
<td>9</td>
<td>324,604</td>
<td>335,603</td>
<td>Nil</td>
<td>Nil</td>
<td>660,207</td>
<td></td>
</tr>
<tr>
<td>Inquiry into the death of MAJ McKerron</td>
<td>8</td>
<td>84,294</td>
<td>53,763</td>
<td>Nil</td>
<td>Nil</td>
<td>Nil</td>
<td>138,057</td>
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<td>1,178</td>
<td>Nil</td>
<td>Nil</td>
<td>64,392</td>
<td></td>
</tr>
</tbody>
</table>

1 The number of Departmental staff refers to the physical number of people allocated and not the FTE allocation or full-time equivalent.

2 Staff wages are approximate with Departmental staff often working part-time or for a short term basis.
President appointed to inquiries are included with departmental staff.

Costing information for the inquiry into the death of LT Fussell is currently unavailable.

Prime Minister and Cabinet: Commonwealth Credit Cards
(Question No. 970)

Senator Ronaldson asked the Minister representing the Prime Minister, upon notice, on 25 November 2008:

(1) How many Commonwealth credit cards have been issued to departmental staff within the Minister’s portfolio.

(2) How many Commonwealth credit cards have been issued to all departmental staff in the departments and agencies that are the responsibility of associated Parliamentary Secretaries.

(3) How many Commonwealth credit cards have been issued to: (a) Members of Parliament (Staff) Act 1984 (MoPS) staff; (b) the Minister; and (c) associated Parliamentary Secretary’s.

(4) If any Commonwealth credit cards were issued in (3) above, what was the date of their issue

Senator Chris Evans—The Prime Minister has provided the following answer to the honourable senator’s question:

(1) During the period between 25 November 2007 and 25 November 2008 there were 300 Commonwealth credit cards issued in the Prime Minister and Cabinet portfolio, excluding the Department of Climate Change and the Office of the Renewable Energy Regulator (these agencies are providing a separate answer to this question on notice).

(2) Nil.

(3) (a) Nil;

(b) Nil; and

(c) Nil.

(4) Not applicable.

Foreign Affairs and Trade: Commonwealth Credit Card
(Question Nos 977 and 978)

Senator Ronaldson asked the Minister representing the Minister for Foreign Affairs and the Minister representing the Minister for Trade, upon notice, on 25 November 2008:

(1) How many Commonwealth credit cards have been issued to departmental and agency staff within the Minister’s portfolio.

(2) How many Commonwealth credit cards have been issued to departmental and agency staff that fall within the responsibility of the Minister’s associated Parliamentary Secretary or Secretaries.

(3) Within the Minister’s portfolio, how many Commonwealth credit cards have been issued to: (a) staff employed under the Members of Parliament (Staff) Act 1984; (b) the Minister; and (c) the Minister’s associated Parliamentary Secretary or Secretaries.

(4) For each Commonwealth credit card issued in (3) above, what was the date of its issue.

Senator Faulkner—The Minister for Foreign Affairs and the Minister for Trade has provided the following answer to the honourable senator’s question:

(1 & 2): From 3 December 2007 to 25 November 2008,

- The Department of Foreign Affairs and Trade (DFAT) issued 63 new Australian Government Credit Cards to staff;
• The Australian Trade Commission (Austrade) issued 167 new Australian Government Credit Cards to staff;
• Australian Agency for International Development (AusAID) issued 8 new Australian Government Credit Cards to staff;
• Australian Centre for International Agricultural Research (ACIAR) issued 2 new Australian Government Credit Cards to staff.

(3) Nil.
(4) N/A.

Minister for Defence and Parliamentary Secretary: Overseas Travel
(Question Nos 1013 and 1032)

Senator Ronaldson asked the Minister representing the Minister for Defence, upon notice, on 25 November 2008:
Has the Minister or any associated Parliamentary Secretary travelled overseas on parliamentary or ministerial business since 25 November 2007; if so, for each trip:
(1) What was the purpose.
(2) How many nights were spent overseas.
(3) What were the dates and venues.
(4) How many meetings did the Minister or Parliamentary Secretary attend.
(5) How many departmental and/or personal ministerial staff accompanied the Minister or Parliamentary Secretary.
(6) What was the aggregate cost.
(7) Can an itemised account be provided of the costs for the following: (a) transportation; (b) travel allowance; (c) accommodation; (d) meals; and (e) other expenses, paid for by the Commonwealth in relation to the Minister, Parliamentary Secretary and their staff.

Senator Faulkner—The Minister for Defence has provided the following answer to the honourable senator’s question:
(1) to (7) The information provided below in response to the honourable Senator’s question covers the periods 25 November 2007 to 31 March 2008 and 1 October to 31 December 2008. For the period 1 April to 30 September 2008, see my responses to Senate Questions on Notice 696, 717, 812 and 813.
In relation to parts (6) and (7) of the question that request information about the cost of overseas travel by Ministers, Parliamentary Secretaries and their personal staff, I refer the Senator to the report Parliamentarians’ travel costs paid for by the Department of Finance and Deregulation. The report is tabled biannually and provides details of the dates and purpose of the travel and the countries visited. Additional information is also available on ministerial web sites, media releases and media reports.

<table>
<thead>
<tr>
<th>Minister</th>
<th>(1) Purpose</th>
<th>(2) Number of nights</th>
<th>(3) Cities / Dates</th>
<th>(4) How many meetings attended</th>
<th>(5) Number of personal staff and departmental staff</th>
<th>(6) Total cost of departmental staff</th>
</tr>
</thead>
</table>

QUESTIONS ON NOTICE
<table>
<thead>
<tr>
<th>Minister for Defence</th>
<th>(1) Purpose</th>
<th>(2) Number of nights</th>
<th>(3) Cities / Dates</th>
<th>(4) How many meetings attended</th>
<th>(5) Number of personal staff and departmental staff</th>
<th>(6) Total cost of departmental staff</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scotland from 12 to 16 December 2007, to attend the Regional Command (South) Defence Ministers’ meeting.</td>
<td>1</td>
<td>2 nights for 5 depart-mental staff</td>
<td>Edinburgh, 13 December 2007, + 1 night in London, 14 December 2007.</td>
<td>5</td>
<td>Personal staff: 1 Departmental staff: 6</td>
<td>$74,075.98</td>
</tr>
<tr>
<td>Kuwait, Iraq, Afghanistan and UAE from 20-24 December 2007, accompanying the Prime Minister to meet officials and Defence personnel.</td>
<td>3</td>
<td></td>
<td>Kuwait, Iraq, UAE, 21 December 2007, Afghanistan, 22 December 2007.</td>
<td>4</td>
<td>Personal staff: Nil Departmental Staff: 6</td>
<td>$35,881.25</td>
</tr>
<tr>
<td>Lithuania from 5 to 10 February 2008, to attend the Regional Command (South) Defence Ministers and the National Defence Ministers’ meeting.</td>
<td>3</td>
<td></td>
<td>Vilnius, 6 – 8 February 2008.</td>
<td>5</td>
<td>Personal staff: 1 Departmental staff: 6</td>
<td>$106,121.61</td>
</tr>
<tr>
<td>Minister for Defence</td>
<td>Purpose</td>
<td>Number of nights</td>
<td>Cities / Dates</td>
<td>How many meetings attended</td>
<td>Number of personal staff and departmental staff</td>
<td>Total cost of departmental staff</td>
</tr>
<tr>
<td>----------------------</td>
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<td>--------------------------</td>
<td>-----------------------------------------------</td>
<td>-------------------------------</td>
</tr>
<tr>
<td>Minister for Defence</td>
<td>Japan from 18 to 20 December 2008, to attend the Japan-Australia Joint Foreign and Defence Ministerial Consultations.</td>
<td>*</td>
<td>Tokyo, 19 December 2008</td>
<td>7</td>
<td>Personal staff : 2 Departmental staff: 4</td>
<td>$29,948.07</td>
</tr>
<tr>
<td>Minister for Defence</td>
<td>The United States from 13 to 20 January 2008, to attend the 2nd West Coast Leadership Dialogue.</td>
<td>6</td>
<td>San Diego, 13 – 15 January 2008 San Francisco, 16 – 17 January 2008</td>
<td>Agenda included multiple sessions and briefings.</td>
<td>Personal staff : Nil Departmental staff: Nil</td>
<td>N/A</td>
</tr>
<tr>
<td>Minister</td>
<td>(1) Purpose</td>
<td>(2) Number of nights</td>
<td>(3) Cities / Dates</td>
<td>(4) How many meetings attended</td>
<td>(5) Number of personal staff and departmental staff</td>
<td>(6) Total cost of departmental staff</td>
</tr>
<tr>
<td>----------</td>
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<td>-------------------------------</td>
<td>---------------------------------</td>
<td>----------------------------------</td>
</tr>
<tr>
<td>Minister for Defence Science and Personnel</td>
<td>Solomon Islands from 21 to 22 February 2008, to visit Defence Cooperation projects and to meet with troops.</td>
<td>1</td>
<td>Honiara and surrounds, 21-22 February 2008.</td>
<td>8</td>
<td>Personal staff : Nil Departmental staff: 1</td>
<td>$2,223.83</td>
</tr>
<tr>
<td>Minister for Defence Science and Personnel</td>
<td>Vietnam, from 7 to 9 October 2008, the Minister attended the ramp ceremony in Hanoi and the repatriation of Private Fisher to Australia. Travel via special purpose aircraft.</td>
<td>2</td>
<td>Hanoi, 7-9 October 2008.</td>
<td>1</td>
<td>Personal staff : 1 Departmental staff: 3</td>
<td>$8,696.07</td>
</tr>
<tr>
<td>Parliamentary Secretary for Defence Support</td>
<td>France from 18 to 25 October to attend the inaugural International Forum for the Challenges of Peace Operations and to conduct a range of bilateral meetings.</td>
<td>4</td>
<td>Paris, 19 to 23 October 2008.</td>
<td>3 day conference and 2 meetings.</td>
<td>Personal staff : 1 Departmental staff: Nil</td>
<td>N/A</td>
</tr>
<tr>
<td>Parliamentary Secretary for Defence Support</td>
<td>Israel from 15 to 21 December 2008 to conduct bilateral engagements with members of the Israeli Government on defence related matters.</td>
<td>3</td>
<td>Tel Aviv, 16 to 19 December 2008, Plassan Sassa Rafael, Elbit on 17 December 2008, Beersheba on 18 December 2008, and Jerusalem, 19 December 2008.</td>
<td>16</td>
<td>Personal staff : 1 Departmental staff: Nil</td>
<td>N/A</td>
</tr>
</tbody>
</table>

* Explanation: The Minister arrived in Japan at 0700 and departed, same day at 2300.
Minister for Veterans’ Affairs and Parliamentary Secretary: Overseas Travel
(Question No. 1028)

Senator Ronaldson asked the Minister representing the Minister for Veterans’ Affairs, upon notice, on 25 November 2008:
Has the Minister or any associated Parliamentary Secretary travelled overseas on parliamentary or ministerial business since 25 November 2007; if so, for each trip:
(1) What was the purpose.
(2) How many nights were spent overseas.
(3) What were the dates and venues.
(4) How many meetings did the Minister or Parliamentary Secretary attend.
(5) How many departmental and/or personal ministerial staff accompanied the Minister or Parliamentary Secretary.
(6) What was the aggregate cost.
(7) Can an itemised account be provided of the costs for the following: (a) transportation; (b) travel allowance; (c) accommodation; (d) meals; and (e) other expenses, paid for by the Commonwealth in relation to the Minister, Parliamentary Secretary and their staff.

Senator Faulkner—The Minister for Veterans’ Affairs has provided the following answer to the honourable senator’s question:
(1) through (3) In relation to travel undertaken by the Minister for Veterans’ Affairs I refer the honourable Senator to the report Parliamentarians’ travel costs paid for by the Department of Finance and Deregulation, noting that it is tabled biannually and that it gives details of the dates and purpose of the travel, the countries of destination and the costs of visits. Further information on ministerial visits is also available on ministerial web sites and in media releases and media reports.
(4) (5) and (6) insofar as related to departmental staff, please note that an Aide-De-Camp (ADC) accompanies the Minister when he undertakes commemorative activities as part of his portfolio responsibilities.

<table>
<thead>
<tr>
<th>date</th>
<th>place</th>
<th>mtg/event</th>
<th>min staff</th>
<th>deptl staff</th>
<th>aggregate deptl costs</th>
</tr>
</thead>
<tbody>
<tr>
<td>16 to 18/12/07</td>
<td>Hanoi, Vietnam</td>
<td>1</td>
<td>2</td>
<td>2 (ADC &amp; Repatriation Commissioner)</td>
<td>2,842.37</td>
</tr>
<tr>
<td>20 to 29/4/08 and 30/4 to 5/5/08</td>
<td>Western Front, France; Be’er-Sheva, Israel; and Washington &amp; New York USA</td>
<td>25 9 3</td>
<td>2 1 1</td>
<td>1 (ADC) 1 (ADC) Nil</td>
<td>19,205.19</td>
</tr>
<tr>
<td>30/5 to 1/6/08</td>
<td>Wellington, NZ</td>
<td>5</td>
<td>Nil</td>
<td>1 (ADC)</td>
<td>3,041.39</td>
</tr>
</tbody>
</table>

QUESTIONS ON NOTICE
5 to 14/11/08 Western Front, France; Ypres, Belgium; and London, UK

5 to 14/11/08 Western Front, France and Ypres, Belgium

5 to 14/11/08 Western Front, France; Ypres, Belgium; and London, UK

Foreign Affairs and Trade: Program Funding
(Question No. 1059 and 1060)

Senator Abetz asked the Minister representing the Minister for Foreign Affairs and the Minister representing the Minister for Trade, upon notice, on 3 December 2008:

(1) Given that spending on individual programs is not reported in either the budget papers or annual reports, did any programs in the Minister’s portfolio: (a) have underspends for the 2007-08 finan-
cial year; if so, for each underspend: (i) in what program did it fall, (ii) how much was the underspend, and (iii) what was the reason for the underspend; and (b) have overspends for the 2007-08 financial year; if so, for each overspend: (i) in what program did it fall, (ii) how much was the overspend, and (iii) what was the reason for the overspend.

(2) Will any agencies and/or departments in the Minister’s portfolio return money in the 2008-09 Budget as a result of underspends for the 2007-08 financial year; if so, how much.

Senator Faulkner—The following answer has been provided by the Minister for Foreign Affairs and the Minister for Trade to the honourable senator’s question:

(1) As agencies are only required to report to the Department of Finance and Deregulation on program variances over $10 million, we consider the time and staff resources required to analyse variances under this amount cannot be justified as it would require unreasonable diversion of resources.

### Underspends

<table>
<thead>
<tr>
<th>Department of Foreign Affairs and Trade</th>
<th>2007-08 Budget $’000</th>
<th>2007-08 Actual Expense $’000</th>
<th>Underspend $’000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Departmental – Overseas Property</td>
<td>87,782</td>
<td>56,296</td>
<td>31,486</td>
</tr>
<tr>
<td>Departmental – Consular Services</td>
<td>60,827</td>
<td>51,312</td>
<td>9,515</td>
</tr>
<tr>
<td>Administered – Payments to International Organisations</td>
<td>214,471</td>
<td>205,414</td>
<td>9,057</td>
</tr>
<tr>
<td>Departmental – Other Departmental – DFAT</td>
<td>529,767</td>
<td>524,842</td>
<td>4,925</td>
</tr>
<tr>
<td>Administered – Passport Services</td>
<td>1,174</td>
<td>998</td>
<td>176</td>
</tr>
<tr>
<td>Administered – Payments to Australia Network (ABC Asia Pacific TV)</td>
<td>18,737</td>
<td>18,715</td>
<td>22</td>
</tr>
</tbody>
</table>

The Departmental – Overseas Property program budget for 2007-08 included a provision of $28 million to account for a potential decrement in building revaluations. As the building revaluation resulted in an increment, this expense did not eventuate.

No other agency in our portfolio had program underspends in 2007-08.

### Overspends

<table>
<thead>
<tr>
<th>Department of Foreign Affairs and Trade</th>
<th>2007-08 Budget $’000</th>
<th>2007-08 Actual Expense $’000</th>
<th>Overspend $’000</th>
</tr>
</thead>
<tbody>
<tr>
<td>Administered – Other Administered</td>
<td>25,450</td>
<td>33,848</td>
<td>8,398</td>
</tr>
</tbody>
</table>

As reported in Austrade’s Annual Report 2007–08, the trade facilitation program (departmental expenditure) had an operating loss of $1.829 million in 2007–08.

No other agency in our portfolio had program overspends in 2007-08.

(2) No agency in our portfolio will return money to budget in 2008-09 as a result of underspends in 2007-08. $0.7 million of the Department of Foreign Affairs and Trade administered appropriation funding in 2007-08 was signed off by the Finance Minister pursuant to section 8 of the Appropriation Act (No 1) 2007-08. However, the Department of Foreign Affairs and Trade did not draw down $13.8 million and the Australian Agency for International Development did not draw down $4.6 million of administered appropriation funding in 2007-08, therefore those appropriations lapsed at the end of the financial year.
Rudd Government: Appointments
(Question Nos 1125 to 1160)

Senator Ronaldson asked all ministers, upon notice, on 3 December 2008:
As at 2 December 2008, can a list be provided of:
(a) each appointment or reappointment made by the department to any board, committee, formal advisory body, informal advisory body, domestic ambassadorial post, or any other Commonwealth body since 1 December 2007; and
(b) each nomination, where no formal appointment or reappointment has been made by the department to any board, committee, formal advisory body, informal advisory body, domestic ambassadorial post, or any other Commonwealth body since 1 December 2007.

Senator Chris Evans—The Prime Minister has provided the following answer to the honourable senator’s question on behalf of all ministers:
I am advised that:
(a) As departments table lists of appointments made by ministers a week before each Estimates round in accordance with a continuing order of the Senate, the provision of a similar list at this time would be an unreasonable diversion of resources.
(b) Reasonable expectations of confidentiality make it inappropriate to disclose nominations for particular statutory or non-statutory appointments.

Cane Toads on Defence Bases in East Timor
(Question No. 1170)

Senator Bob Brown asked the Minister representing the Prime Minister, upon notice, on 16 December 2008:
Has the Government definitively ruled out the presence of cane toads on Australian Defence Force bases in East Timor; if not, why not.

Senator Chris Evans—The Prime Minister has provided the following answer to the honourable senator’s question:
To date, there is no evidence to suggest toads originating from Australia are present in East Timor. Photographs of a poisonous toad sighted in East Timor have been identified by a cane toad specialist as Bufo melanostictus, the black-spined toad. The black-spined toad is found in Indonesia and has reportedly been expanding its range over the past few years. It is not found in Australia.
The Australian Government has offered assistance to the government of East Timor in an assessment of toads present in East Timor. The government has offered to deploy an expert to conduct a field study to establish whether cane toads are present in East Timor and to conduct an initial assessment of environmental or other threats posed by the toads. Such assistance is currently being discussed with East Timorese authorities.

Mr Mamdouh Habib
(Question No. 1177)

Senator Ludlam asked the Minister representing the Minister for Defence, upon notice, on 16 December 2008:
Given the answer to a question placed on notice (Q3: Rendition of Mamdouh Habib) by former Senator Nettle during the 2008-09 Budget estimates hearing of the Foreign Affairs, Defence and Trade Committee, on 4 June 2008, was that, ‘Defence has no record of involvement through meetings or through the provision of advice in the matter of the rendition of Mr Mamdouh Habib’:

QUESTIONS ON NOTICE
(1) How do 85,418 pages of Defence departmental documents fall within the terms of a Freedom of Information request for any reports from 1 October 2001 onwards from Defence or any of its agencies regarding the transfer and/or rendition of Mamdouh Habib to Egypt, with an associated cost of $107,145.55 including 1,038 hours to identify, examine and make decisions on the documents.

(2) How do 82,838 pages of Defence departmental documents fall within the terms of a Freedom of Information request for communications regarding the rendition and/or transfer of prisoners or detainees by the United States of America to other countries (particularly Egypt) for interrogation or questioning, with an associated cost of $85,603.80.

(3) How is such a massive volume of documentation consistent with Defence’s contention in estimates hearings that there are no records relevant to this matter.

Senator Faulkner—The Minister for Defence has provided the following answer to the honourable senator’s question:

(1) and (2) In the case of the two requests referred to by the Senator, the process of estimating costs for identifying, retrieving and making decisions on documents was interpreted as a requirement to individually retrieve, read, and assess a very large number of documents held by Defence. The time it would take to carry out such a search in accordance with the Freedom of Information (FOI) laws and regulations was calculated according to standard FOI costs, which resulted in the large estimate. Since this estimate was issued, and in accordance with the most recent revision of the FOI request from the applicant, Defence has conducted secondary searches based on a more realistically defined assessment of where relevant documents are located. This has reduced the number of documents that need to be assessed, and hence the estimated costs, considerably. The FOI applicant is being kept informed of progress in completing this request.

(3) There is no inconsistency between stating that Defence has no record of involvement in the matter of the rendition of Mr Mamdouh Habib, and having to check a large number of documents that may be relevant to an FOI request. The FOI requests in question will capture any documents held by Defence that refer to Mr Mamdouh Habib or the issue of rendition and/or transfer of prisoners or detainees by the United States of America to other countries. For example, Defence has on its files responses to numerous questions both in Parliament and in the media on these issues, as well as a number of reports outlining our position on these issues.

The estimate referred to the number of documents that would need to be checked to complete the FOI request, which ultimately may not have been found to be relevant to the request (the check of whether a document is relevant or not is part of the FOI process and must be included in the estimation). Defence maintains its position that it has no record of involvement through meetings or through the provision of advice in the matter of the rendition of Mr Mamdouh Habib. This is borne out by documents that have previously been released for a similar FOI request requesting all documents setting forth or discussing the legality or appropriateness of the rendition of any Australian citizen or former resident.

Government Vehicle Fleet

(Question Nos 1178, 1179 and 1180)

Senator Abetz asked the Minister representing the Prime Minister, the Minister representing the Treasurer, and the Minister representing the Minister for Finance and Deregulation, upon notice, on 16 December 2008:

(1) What is the total size of the Government’s vehicle fleet, including executive-level vehicles, ministerial vehicles etc.
(2) (a) How many, both as a number and a percentage, of these vehicles are not Australian-made; and (b) for each imported model: (i) what is the make, and (ii) what is the number of that model currently held.

Senator Sherry—The Minister for Finance and Deregulation has provided the following answer to the honourable senator’s question:

(1) As at 30 November 2008, the fleet was comprised of 13,369 vehicles relating to agencies that operate subject to the Financial Management and Accountability Act 1997. Of this, 7,998 were passenger sedans, wagons and people movers and 5,371 were commercial vehicles including heavy duty trucks, buses, trailers, light commercial vehicles and motorcyles.

The fleet observes a selection policy that supports Australian vehicle manufacturers. To be eligible for selection, a vehicle must be either: (i) made in Australia; or (ii) imported by an Australian manufacturer and with an engine capacity of 2,000cc or less.

Where a compelling need exists that cannot be met by a vehicle sourced from an Australian manufacturer, an agency is able to select a vehicle from another source.

Commercial vehicles, such as trucks, buses, large four-wheel drives and motorcyles are usually acquired to meet operational or occupational health and safety requirements. As there is frequently no Australian made equivalent for vehicles in this category, we have separated these vehicles from passenger vehicles (consisting of passenger sedans, wagons and people movers) and excluded them from the response.

(2) (a) Ninety five percent of passenger vehicles (7,629) in the fleet are sourced from Australian manufacturers. Five percent (369) are purchased from other sources. Of the 95 percent sourced from Australian manufacturers, 74 percent (5,909) are manufactured in Australia with the remaining 21 percent (1,720) being vehicles imported. Vehicles of 2000cc or less are not, as yet, manufactured in Australia but their purchase through Australian manufacturers provides support for the domestic passenger motor vehicle industry. Presently, there are 1,336 vehicles in this category.

(b) The answer has been limited to passenger sedans, wagons and people movers (commercial vehicles are considered to be outside the scope of the question).

<table>
<thead>
<tr>
<th>Make by Australian Manufacturers</th>
<th>Imported by non-Australian Manufacturers</th>
</tr>
</thead>
<tbody>
<tr>
<td>Make</td>
<td>Model</td>
</tr>
<tr>
<td>Ford Focus</td>
<td>Audi</td>
</tr>
<tr>
<td>Ford Mondeo</td>
<td>Chrysler Voyager</td>
</tr>
<tr>
<td>Ford Fiesta</td>
<td>Hyundai Accent</td>
</tr>
<tr>
<td>Holden Astra</td>
<td>Hyundai Getz</td>
</tr>
<tr>
<td>Holden Epica</td>
<td>Hyundai i30</td>
</tr>
<tr>
<td>Holden Captiva</td>
<td>Kia Carnival</td>
</tr>
<tr>
<td>Holden Viva</td>
<td>Mazda</td>
</tr>
<tr>
<td>Holden Barina</td>
<td>Mazda</td>
</tr>
<tr>
<td>Holden Zafira</td>
<td>Mazda CX-7</td>
</tr>
<tr>
<td>Nissan Maxima</td>
<td>Honda Accord</td>
</tr>
<tr>
<td>Nissan Tiida</td>
<td>Honda Civic</td>
</tr>
<tr>
<td>Nissan Dualis</td>
<td>Honda CR-V</td>
</tr>
<tr>
<td>Toyota Corolla</td>
<td>Mitsubishi Grandis</td>
</tr>
<tr>
<td>Toyota Echo</td>
<td>Mitsubishi Lancer</td>
</tr>
<tr>
<td>Toyota Prius</td>
<td>Mitsubishi Colt</td>
</tr>
<tr>
<td>Toyota Tarago</td>
<td>Peugeot 407</td>
</tr>
<tr>
<td>Toyota Yaris</td>
<td>Subaru Forester</td>
</tr>
</tbody>
</table>

QUESTIONS ON NOTICE
### QUESTIONS ON NOTICE

#### Imported by Australian Manufacturers

<table>
<thead>
<tr>
<th>Make</th>
<th>Model</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Toyota</td>
<td>Avensis</td>
<td>11</td>
</tr>
<tr>
<td>Subaru</td>
<td>Liberty</td>
<td>30</td>
</tr>
<tr>
<td>Subaru</td>
<td>Outback</td>
<td>13</td>
</tr>
<tr>
<td>Subaru</td>
<td>Impreza</td>
<td>2</td>
</tr>
<tr>
<td>Volkswagen</td>
<td>Golf</td>
<td>8</td>
</tr>
<tr>
<td>Volkswagen</td>
<td>Jetta</td>
<td>4</td>
</tr>
<tr>
<td>Volkswagen</td>
<td>Passat</td>
<td>2</td>
</tr>
</tbody>
</table>

**Sub-total**: 1,720

**Total**: 2,089

#### Imported by non-Australian Manufacturers

<table>
<thead>
<tr>
<th>Make</th>
<th>Model</th>
<th>Quantity</th>
</tr>
</thead>
<tbody>
<tr>
<td>Subaru</td>
<td>Liberty</td>
<td>30</td>
</tr>
<tr>
<td>Volkswagen</td>
<td>Golf</td>
<td>8</td>
</tr>
</tbody>
</table>

**Sub-total**: 369

**Total**: 2,089

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**United Nations: Australian Membership of the Security Council**  
**(Question No. 1229)**

**Senator Cash** asked the Minister representing the Prime Minister, upon notice, on 20 January 2009:

With reference to the statements made by the Prime Minister in March 2008 indicating the Government’s intention to seek membership of the United Nations Security Council for 2013-2014, at a cost of up to $40 million:

1. Can a detailed breakdown be provided of those items which comprise the estimated cost of $40 million; if not, why not.
2. (a) How much money has been expended since March 2008 to date on this matter; and (b) on what items has the expenditure occurred.
3. On what date did Cabinet formally approve the decision to seek this membership.

**Senator Chris Evans**—The Prime Minister has provided the following answer to the honourable senator’s question:

I am advised that:

1. The Prime Minister has made no public statements referring to a cost of up to $40 million for the United Nations Security Council campaign.
2. $1.927 million is being provided in 2008-09 to the Department of Foreign Affairs and Trade (DFAT), which has portfolio responsibility for managing the campaign leading to the vote in 2012. This is being spent on the establishment of a small taskforce within DFAT, supplementation of our mission in New York, and operating costs to support the campaign (including targeted funding for travel and representation, short term missions to support multi-accredited posts, public diplomacy materials, and further development of a database to support management of the campaign).
3. The decision was not referred to Cabinet.

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**Near Earth Objects**  
**(Question No. 1231)**

**Senator Bob Brown** asked the Minister for Innovation, Industry, Science and Research, upon notice, on 28 January 2009:

With reference to the article ‘Asteroid shield “our only hope”’ on page 44 of *The Guardian Weekly* of 19 December 2008, which stated that a group of leading scientists, the International Panel on Asteroid Threat Mitigation, has urged the United Nations to establish a network to search for asteroids on a collision course with Earth, will the Government: (a) support the scientists’ call for such a global network and response plan; and (b) contribute funding to a network and response plan.
**Senator Carr**—The answer to the honourable senator’s question is as follows:

The Australian Government acknowledges that the threat posed by Near-Earth Objects such as asteroids is real.

The Australian Government supports the United Nations’ (UN) efforts to address the potential threat posed by Near-Earth Objects.

The Working Group on Near-Earth Objects of the Scientific and Technical Subcommittee of the UN Committee on the Peaceful Uses of Outer Space has developed and endorsed a multi-year workplan being conducted from 2009 to 2011.

Under the workplan, an Action Team on Near-Earth Objects will:

- consider reports and information on Near-Earth Objects provided to it annually,
- raise awareness of the Near-Earth Object threat, for example through events celebrating the International Year of Astronomy 2009,
- consider mechanisms by which international cooperation and collaboration can facilitate the dissemination of and archiving and processing of data, and
- review policies and international procedures to handle the threat posed by Near-Earth Objects with a view to finalising an agreement on this subject.

The Working Group on Near-Earth Objects and the Action Team on Near-Earth Objects will present a final report to the UN following completion of the multi-year workplan in 2011. When this report is finalised the Australian Government will be able to better consider Australia’s role in this international initiative.

**Climate Change**

*(Question No. 1288)*

**Senator Ludlam** asked the Minister representing the Minister for the Environment, Heritage and the Arts, upon notice, on 6 February 2009:

(1) Can an indication be provided of when the Australian Labor Party’s election promise to incorporate a ‘greenhouse gas trigger’ in the Environment Protection and Biodiversity Conservation Act 1999 (the Act) will be implemented.

(2) Considering the devastating effect climate change will have on coral reefs, will the Minister consider the greenhouse gas effects of the planned aluminium smelter in Bowen, Queensland, by the Aluminium Corporation of China Limited (CHALCO) when assessing its effect on the Great Barrier Reef under the Act’s approvals process.

(3) Given that demand for aluminium is falling and is projected to stay low for at least the next year, will the Minister consider the necessity of building such a high greenhouse gas producing project when deciding on approval for the smelter under the Act.

(4) Will the Minister consider the source of electricity when deciding what impact the smelter will have on the environment.

(5) Has the Minister considered implementing project approvals which require the use of renewable energy; if not, why not.

(6) Will the Minister consider the cumulative effect of these projects on the Great Barrier Reef and surrounding wetlands or will the CHALCO project decision be made in isolation.

**Senator Wong**—The Minister for the Environment, Heritage and the Arts has provided the following answer to the honourable senator’s question:

(1) The independent review of the Environment Protection and Biodiversity Conservation Act 1999 (EPBC Act) has sought submissions on whether the Act provides an appropriate legislative frame-
work for addressing climate change in the context of environmental protection and biodiversity conservation. The report of that review is to be provided to the Minister by 31 October 2009. The need for a greenhouse trigger under the EPBC Act will be considered following that report within the context of the Government’s overall response to climate change, including the Carbon Pollution Reduction Scheme.

(2) (3), (4) and (6) When a proposed action is referred under the EPBC Act, the Minister considers all impacts of the action, including indirect impacts, on matters protected by the Act, according to the requirements of the Act. Where relevant this may include the indirect impact of greenhouse emissions from a proposed action but as the honourable member is aware, in its current form, reflecting the policy of the previous government, the Act does not include a specific "greenhouse trigger".

(5) The EPBC Act requires each case to be considered on its own circumstances and merits. While such a requirement could never be ruled out, in almost all cases it would be beyond the scope of the EPBC Act to direct a proponent to utilise a specific energy source.

Exceptional Circumstances Assistance
(Question No. 1297)

Senator Cormann asked the Minister representing the Minister for Agriculture, Fisheries and Forestry, upon notice, on 10 February 2009:
Can a breakdown be provided, by state and territory, of the expenditure on each component of the exceptional circumstances assistance to farmers for the financial years 2006-07 and 2007-08 and the estimated expenditure for 2008-09, including: (a) income support (interim support and exceptional circumstances relief payments); (b) business support; and (c) interest subsidies.

Senator Sherry—The Minister for Agriculture, Fisheries and Forestry has provided the following answer to the honourable senator’s question:
Income support payments and interest rate subsidies are available to eligible farmers and small business operators. Part b) of Senator Cormann’s question sought information on business support. It is unclear if the Senator is referring to interest rate subsidies, which are sometimes referred to as business support, or if he is referring to support for businesses, therefore, information for small businesses is included in the response.

Support for farmers
(a) Expenditure for EC income support for farmers includes Exceptional Circumstances Relief Payments, Interim Income Support and prima facie payments. Note: The government has committed $331.03 million for 2008-09 though a breakdown by state is not available.

<table>
<thead>
<tr>
<th>State</th>
<th>Expenditure 2006-07 $ million</th>
<th>Expenditure 2007-08 $ million</th>
</tr>
</thead>
<tbody>
<tr>
<td>NSW/ACT</td>
<td>106.65</td>
<td>141.39</td>
</tr>
<tr>
<td>NT</td>
<td>0.00</td>
<td>0.00</td>
</tr>
<tr>
<td>QLD</td>
<td>47.30</td>
<td>59.89</td>
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<tr>
<td>SA</td>
<td>11.99</td>
<td>36.72</td>
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<tr>
<td>TAS</td>
<td>0.00</td>
<td>3.68</td>
</tr>
<tr>
<td>VIC</td>
<td>93.89</td>
<td>140.24</td>
</tr>
<tr>
<td>WA</td>
<td>1.02</td>
<td>4.05</td>
</tr>
<tr>
<td>Total</td>
<td>260.85</td>
<td>385.96</td>
</tr>
</tbody>
</table>

(b) EC interest rate subsidies for farmers. Note: The government has committed $667.18 million for 2008-09 though a breakdown by state is not available.
### Support for small businesses

(c) Expenditure for EC income support for small business operators includes Exceptional Circumstances Relief Payments, Interim Income Support and *prima facie* payments. Note: The government has committed $23.26 million for 2008-09 though a breakdown by state is not available.

<table>
<thead>
<tr>
<th>State</th>
<th>Expenditure 2006-07 ($) million</th>
<th>Expenditure 2007-08 ($) million</th>
</tr>
</thead>
<tbody>
<tr>
<td>NSW/ACT</td>
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<td>387.13</td>
</tr>
<tr>
<td>NT</td>
<td>0.00</td>
<td>0.54</td>
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<tr>
<td>QLD</td>
<td>98.18</td>
<td>103.48</td>
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<tr>
<td>SA</td>
<td>10.48</td>
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<td>VIC</td>
<td>106.97</td>
<td>126.36</td>
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<tr>
<td>WA</td>
<td>2.09</td>
<td>10.79</td>
</tr>
<tr>
<td>Total</td>
<td>448.60</td>
<td>681.39</td>
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</tbody>
</table>

(d) EC interest rate subsidies for small businesses. Note: The government has committed $54.08 million for 2008-09 though a breakdown by state is not available.

<table>
<thead>
<tr>
<th>State</th>
<th>Expenditure 2006-07 ($) million</th>
<th>Expenditure 2007-08 ($) million</th>
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</thead>
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<tr>
<td>NSW/ACT</td>
<td>2.46</td>
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<tr>
<td>Total</td>
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### Scout Association of Australia and Girl Guides Australia

(Question No. 1299)

**Senator Cash** asked the Minister representing the Minister for the Status of Women, upon notice, on 16 February 2009.

(1) (a) What financial or other support has been provided to the Scout Association of Australia in each of the past 5 years; (b) what was the purpose of such assistance; and (c) what were the public policy issues underpinning the decision to grant this assistance.

(2) (a) What financial or other support has been provided to Girl Guides Australia in each of the past 5 years; and (b) what was the purpose of such assistance.
(3) Is the Government aware that Girl Guides Australia is currently proposing to hold events to cel-
brate ‘100 years of Guiding across Australia’ from September 2009 to February 2011 with an Aus-
tralian centenary event in January 2010 at Britannia Park, Yarra Junction, Victoria.

(4) Has an application or submission been received from Girl Guides Australia for financial assistance
to hold events to celebrate ‘100 years of Guiding across Australia’; if so, has the Government pro-
vided such assistance.

(5) Will the Minister meet with representatives of Girl Guides Australia to discuss the need for finan-
cial assistance to celebrate the forthcoming centenary of Girl Guides Australia.

Senator Wong—The Minister for Housing and the Minister for the Status of Women has
provided the following answer to the honourable senator’s question:

(1) (a) The Office for Women has not approved or provided the Scout Association of Australia with
financial or other support under the Women’s Leadership and Development Programme. Fur-
thermore, a review of grant applications made under the Women’s Leadership and Develop-
ment Programme in 2006-07 and 2007-08 has shown that the Scout Association of Australia
has not applied for any funding under the program.

(b) Not applicable.

(c) Not applicable.

(2) (a) In the past five years, the Office for Women has provided Girl Guides Australia with a total of
$59,675 under the Women’s Leadership and Development Programme.

(b) This funding was provided to Girl Guides Australia in 2007-08 to develop and administer a
Girl Guides Youth Forum and Leadership and Advocacy Training event. The purpose of the
event was to enable the young women to provide input to the future direction of Girl Guides in
Australia and support young women to gain greater leadership and advocacy skills.

The Office for Women also has an association with Girl Guides Australia through its mem-
bership of the WomenSpeak network and the Australian Women’s Coalition; two of the National
Women’s Alliances, which is the national mechanism by which the Government engages and
consults with women. The National Women’s Alliances are funded by the Office for Women
under the Women’s Leadership and Development Programme and a review of funding has
shown that the National Women’s Alliances were provided with funding of $613,200 in 2006-
07 and $629,756 in 2007-08.

(3) The Government is aware that Girl Guides Australia is intending to hold a series of events and ac-
tivities across Australia to celebrate the Girl Guides centenary, including the Girl Guides Australia
Centenary Launch in Redland Bay, Queensland and a large celebration at Britannia Park, Victoria.
As the largest women’s and girls organisation in the country, the Government recognises the im-
portant role that Girl Guides Australia has played in many Australian women’s lives over the years and
the Government is supportive of its centenary celebrations.

(4) The Office for Women has received a funding proposal from Girl Guides Australia to support them
in their centenary celebrations. The Government is keen to help the Girl Guides to celebrate their
centenary year in the best way possible.

(5) The Minister has met with Girl Guides Australia on this issue. The Minister and the Office for
Women also meet regularly with the National Women’s Alliances as they are key stakeholders and
represent the interests of many young Australian women, including Girl Guides.
Defence: Government Appointments  
(Question Nos 1319 and 1320)

Senator Johnston asked the Minister representing the Minister for Defence, upon notice, on 26 February 2009:
For each agency within the responsibility of the Minister/Parliamentary Secretary, what appointments to boards or committees were made in the period 1 October to 31 December 2008.

Senator Faulkner—The Minister for Defence has provided the following answer to the honourable senator’s question:
I refer the honourable Senator to Defence’s response to the Senate Order on Grants and Government Appointments tabled on 3 February 2009.

Defence: Departmental Liaison Officers  
(Question Nos 1325 and 1326)

Senator Johnston asked the Minister representing the Minister for Defence, upon notice, on 26 February 2009:
As at 31 December 2008: (a) how many departmental liaison officers are allocated to each Minister and Parliamentary Secretary; and (b) what advice do they provide.

Senator Faulkner—The Minister for Defence has provided the following answer to the honourable senator’s question:
(a) Two Departmental Liaison Officers (DLOs) were allocated to the Minister for Defence, one DLO to the Minister for Defence Science and Personnel, one DLO to the Parliamentary Secretary for Defence Procurement and one DLO to the Parliamentary Secretary for Defence Support.
It should be noted that, as of 25 February 2009, the Hon Greg Combet AM MP transferred from his duties as Parliamentary Secretary for Defence Procurement to Parliamentary Secretary for Climate Change and Water. As the position of Parliamentary Secretary for Defence Procurement no longer exists, the DLO position for this office has been disestablished.
(b) See my response to Senate Question on Notice No. 816 and 817.